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California JOURNAL

INDEPENDENT ANALYSIS OF POLITICS AND GOVERNMENT

Reapportionment 1991:

Carving up California

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California JOURNAL

MAY 1991
VOLUME XXII, NUMBER 5

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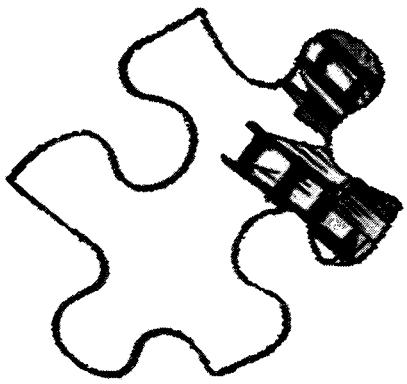

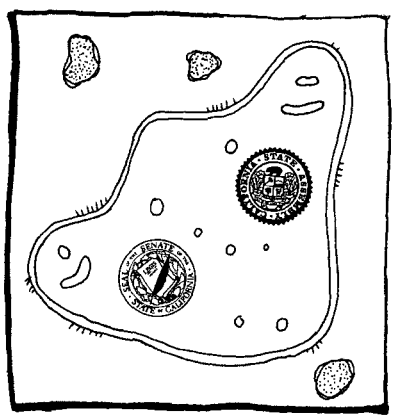

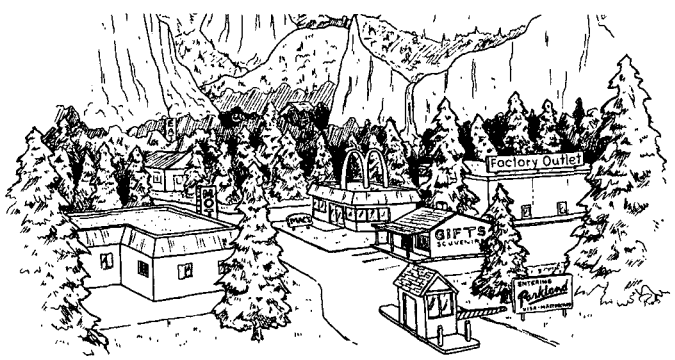

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UP FRONT

"Huckleberry Finn? Whozzat?" It was said that former Governor George Deukmejian liked to relax over a mound of jamoca almond fudge ice cream, and that when he really cut loose, the Duke took in a PG movie. Apparently, he didn't relax over a good novel — or any other kind of book, for that matter. Seems that when Pete Wilson moved into the Carmichael residence previously occupied by the Deukmejians, the new governor discovered that there were no bookshelves. Wilson, an avid reader, corrected the shortcoming to provide for his own library.

Bob Presley came to the state Senate from the Riverside County sheriff's department and has been a champion of law enforcement and of the state's prison system ever since. So, it's entirely appropriate that there is a Robert Presley Detention Center and a Robert Presley Hall of Justice and a Robert Presley Institute of Corrections, Research and Training. Now, columnist Dan Bernstein of the Riverside *Press Enterprise* reports the creation of the "Robert Presley Maternity Ward" at Christian Hospital in Perris. "He [Presley] has helped us a lot with Medi-Cal," Bernstein quotes a hospital spokeswoman. "And the maternity ward is the only thing we have new to honor him." Presley, who is 66, will get free maternity services, the spokeswoman added — should the need arise.

When is $10,000 more of a bother than a boon? When it's given to a legislator as part of an award. In April Assemblyman Richard Katz was named recipient of the 1991 David Lee Shanbrom Memorial Award by the nonprofit California Transportation Foundation. The honor is accompanied by a $10,000 grant. According to foundation executive director Heinz Heckeroth, the annual award is given for "outstanding accomplishment in the advancement of heavy truck safety." Katz, a Panorama City Democrat who chairs the Assembly Transportation Committee, was honored for legislation meant to improve speed enforcement, safety inspections and the safe transportation of hazardous materials. The award itself is donated by the family of David Shanbrom, who was killed in March 1986 by a big rig on the Foothill Freeway in Southern California.

All well and good. But Katz doesn't want the money. Nor is he sure he can even accept it, given new rules and regs aimed at curbing the amount of gifts to public officials. Instead, Katz would like the money given to some nonprofit group involved with highway safety, like Mothers Against Drunk Driving (MADD).

"I appreciate it very much," Katz said. "Getting this recognition means a lot to me."

The money, said Katz, is a different matter. "It's inappropriate for a legislator to accept [a cash grant] like this. These are good people, but the opportunity for abuse exists."

Katz is the second lawmaker honored in the three-year history of the Shanbrom award. U.S. Senator John Seymour shared the award in 1989 when he was a member of the state Senate. According to foundation officials, Seymour donated his $5000 grant to a trauma center in Costa Mesa.

The California Transportation Foundation, which administers the award on behalf of the Shanbrom family, is supported by donations from corporations and associations in the transportation industry. Among its donors — ARCO, Bechtel and the Southern California Automobile Association.

Do lobbyists cheat? Nah. Some of our readers may be aware that several months ago we sent out a survey seeking to assess the qualities of Sacramento's lobbying corps. As in the past, we asked respondents — who included legislators and their staffs, the press corps and lobbyists themselves — to name the lobbyist who was the most effective, has the most integrity, and so forth. Oh, yeah. We also asked for the most overrated lobbyist — always a popular category. Well, what we really got a lesson in lobbyist integrity. Seems that two lobbyists wanted to win so badly that they duplicated the entry forms; in effect, tried to stuff the ballot box. We were able to identify most of the bogus surveys (you really weren't very clever, guys), but remain concerned that the survey process itself is tainted. So, those of you who have been looking forward to the results will just have to wait a little longer while we try a different survey method. As for those of you who honestly answered the survey, we're sorry your efforts were in vain. If nothing else, when we start up again, we'll already have our winners for the "least integrity" category.

Linda Proaps' novel about Sacramento politics, "Capitol Punishment," is all the rage these days, especially among those the author skewered (see review, page 215). Politicians, however, weren't Proaps only targets. Ahem, an unedited quote from page 52: "... Those half-wits down there in Los Angeles are using the half-assed voting records published in some damned magazine that thinks its the end-all-be-all of politics. You know as well as I do the junk they publish is so selective and biased it isn't worth s— to us." (Well, edited for modesty if not for grammar.)

Interests, not people, are represented in California .... The California Legislature, indeed, closely resembles the "chamber or corporations" under Italian fascism.

— Carey McWilliams (1949)

Come across a blurb lately that's nosy, newsy or smartalecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front." So, rush your items to Up Front, 1714 Capitol Avenue, Sacramento, CA 95814. Sorry, submissions cannot be returned.*

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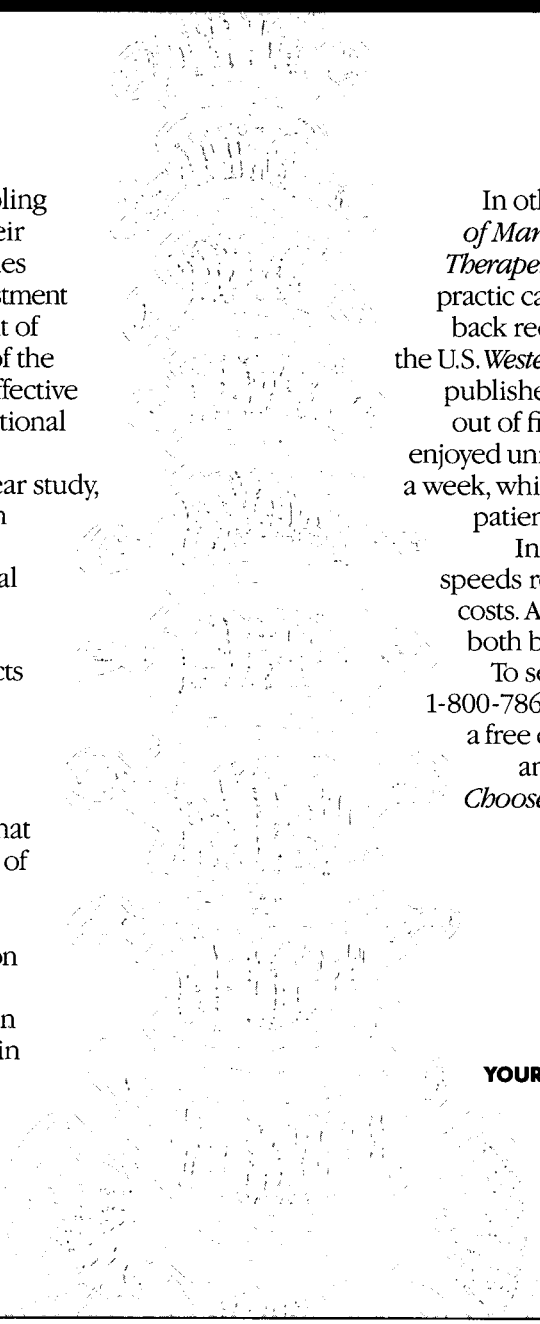
IF BACK PAIN IS CRIPPLING YOUR WORK FORCE, YOUR HEALTH PLAN MAY NEED ADJUSTMENT.



Back injuries can be crippling for both employees and their employers. But recent studies show that chiropractic adjustment —or safe, manual treatment of malfunctioning segments of the skeletal system—is more effective and less costly than conventional medicine.

After an extensive 2-year study, England's Medical Research Council published their results in the British Medical Association's prestigious *Journal*. These physicians found that among all subjects with severe and chronic pain, chiropractic patients improved 13% more than medical patients.

"Our results suggest that there might be a reduction of some 290,000 days in sickness absence during two years saving about 13 million pounds in output ($25.5 million U.S.) and 2.9 million pounds ($5.7 million U.S.) in social security payments."

In other studies, the *Journal of Manipulative Physiological Therapeutics* reports that chiropractic care can typically cut low back recovery time in half. And the U.S. *Western Journal of Medicine* published a study showing four out of five chiropractic patients enjoyed unrestricted activity within a week, while only half the medical patients recovered as quickly.

In short, chiropractic care speeds recovery while reducing costs. An adjustment that helps both business and employees.

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ROSTRUM

Ethics education

Your article on ethics education in the California Legislature ("Ethics training," *CJ*, March 1991) failed to discuss why the requirement (for ethics classes) was recommended by the Assembly Select Committee on Ethics and enacted in the 1990 ethics reform package. The committee found that merely enacting new standards of legislative conduct was an insufficient solution to the ethics problems perceived in the Capitol. Participants in the legislative process need to know, understand and have the opportunity to discuss the complex laws governing official conduct in order to prevent problems from occurring.

The requirement that all legislators, staff and registered lobbyists take an ethics-orientation class once each session is unique, so the first classes were necessarily experimental. The Assembly's classes, as well as the classes for lobbyists, concentrated on imparting legal education. The Senate also discussed allied ethical issues. Both approaches were useful and hopefully will be improved upon in the future.

Form may only be judged by how well it meets its purpose.

CHARLENE SIMMONS WEAR
former senior consultant
Assembly Select Committee
on Ethics

Textbooks

Regarding your article on textbook selection ("New textbooks," *CJ*, March 1991), the major media mostly has lauded the virtues of the controversial Houghton-Mifflin social studies textbooks and painted their supporters as models of sweet reason. At the same time, the media has portrayed those of us who oppose the textbooks as wild-eyed fanatics. It was a surprise and a pleasure, then, to read a balanced, well-researched, objective story written by someone with no axe to grind.

BEVERLY SLAPIN
Communities United against
Racism in Education
Berkeley

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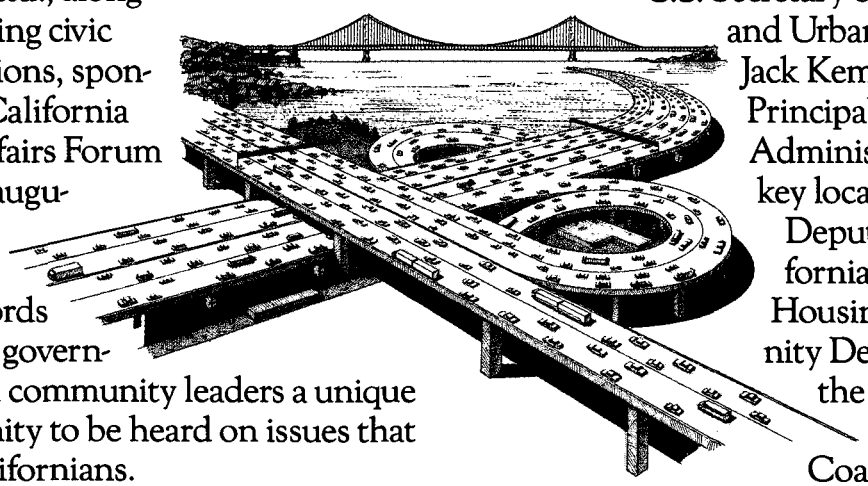
In Search of Cures for California's Growing Pains

California. The very name conjures up gold rushes and endless summers. But the California dream has a dark side. Air pollution. Clogged highways. Housing shortages. The side effects of rampant growth.

It is to encourage discussion of potential solutions for such problems that Hitachi, Ltd., along with leading civic organizations, sponsors the California Public Affairs Forum series. Inaugurated in 1987, the series affords business, government and community leaders a unique opportunity to be heard on issues that affect Californians.



At the inaugural Forum in Los Angeles, futurist Alvin Toffler addressed California's transportation crisis. The Forum was repeated in San Francisco a week later.

In 1989 the Forum returned by popular demand in an expanded format. On November 2 the Forum convened in San Francisco to address the growing imbalance between jobs and housing in the San Francisco Bay Area. A week later in Los Angeles the Forum's subject was how to strike a balance between economic growth and air quality. Both events attracted some 200 state and local officials and business leaders even in the aftermath of the region's biggest earthquake in nearly a century.

Such attendance is hardly surprising with nationally noted speakers like U.S. Secretary of Housing and Urban Development Jack Kemp, The EPA's Principal Assistant Administrator and such key local officials as the Deputy Director of California's Department of Housing and Community Development and the Executive Director of the South Coast Air Quality Management District.

These people who comprise the Forum's blue-ribbon panels have significant insights into California's most pressing problems.

Hitachi is proud to be a Forum sponsor. We believe this kind of activity will lead to positive exchanges for Californians and, indeed for all Americans.

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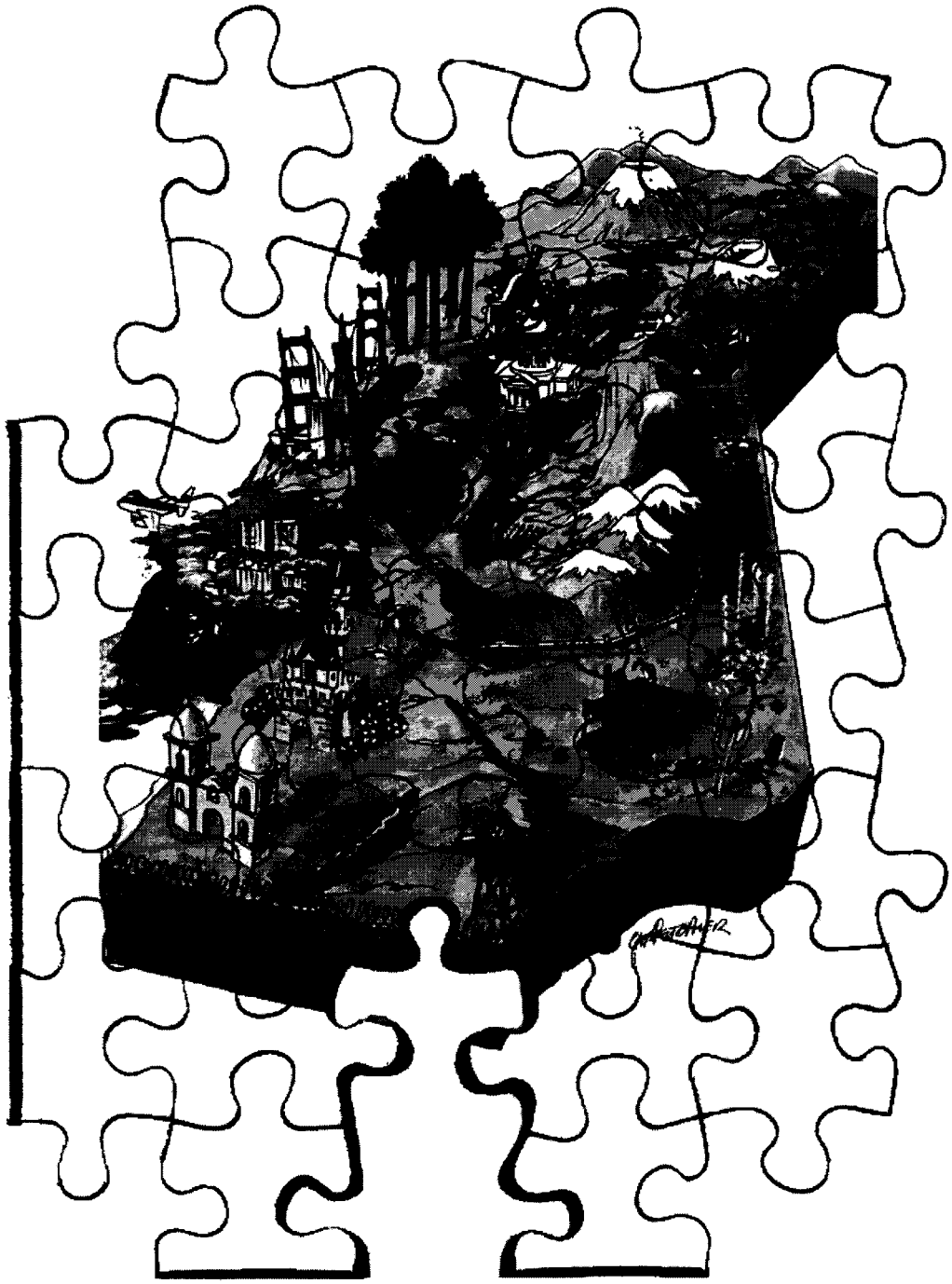

There's no place like home.

But if you're an elected official, every 10 years the law requires that you remodel.

Maybe you don't think that's so bad. Maybe the old neighborhood has changed out from under you. Things don't look quite so familiar when you step outside.

Or maybe, like a lot of homeowners, you're looking to step up. If you're in the state Assembly, perhaps that shiny new congressional seat is looking good right about now.

Given the choice, most lawmakers probably would just as soon avoid the whole thing. After all, it may turn out

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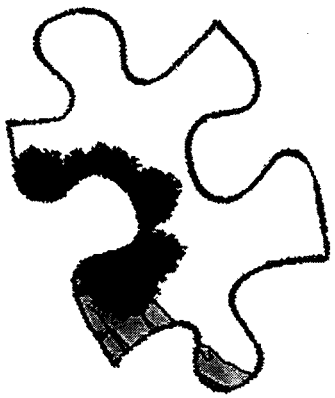
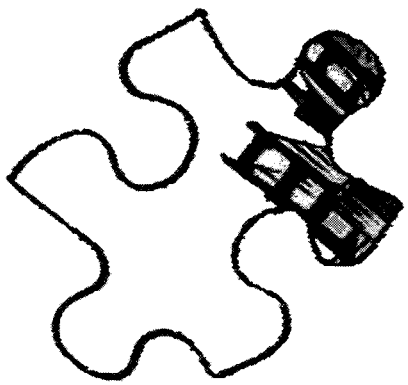
THE REAPPORTIONMENT PUZZLE

Carving up California



By Richard Zeiger



that when they get into that new house, the new neighbors won't like them so much. But they don't have that choice, so they do the next best thing: They try to be the first in line when the new subdivision opens.

Reapportionment has been on the minds of lawmakers for several years now, but this is the year when decisions must actually be made. Earlier this year, the U.S. Census Bureau released new population figures for California, showing the state's population jumping 26 percent in the past 10 years to more than 29.8 million individuals. The data also show even larger proportional increases in the state's minority populations, with the Hispanic population increasing by almost 70 percent and the Asian population almost doubling in the 10 years since 1980 (see *CJ*, May 1990).

The most obvious affect of this increase will be a jump in the number of California congressional seats from 45 to 52. The seven-representative boost is by far the largest in the nation.

It's possible, however, that still one more seat may be added because the census bureau may have significantly undercounted the number of Californians living in large cities. A recent post-census survey by the bureau estimates that somewhere between 500,000 and 1.5 million California residents, most from minority groups, may have been missed when the count was made in April 1990. If the bureau decides to adjust the figures, a decision that will be made by July 15th, California could end up with an eighth new congressional seat.

But even in the Assembly and Senate, where the number of seats remains stable, population shifts within the state will create the need for significant changes. Legislative staff members believe Southern California will add somewhat to its strength. Of the seven projected congressional seats, for example, perhaps five will be placed below the Tehachapis, according to William Cavala, who heads up the reapportionment project for Assembly Democrats in the Office of Majority Services. But shifting population trends will also push seats eastward and southward into the fast-growing areas of Riverside, San Bernardino and northern San Diego counties. Los Angeles County could actually lose a couple of congressional seats because of the population shifts. The changes in the Senate and Assembly would be even more pronounced.

In the northern portion of the state, a similar shift has taken place, with the San Francisco Bay area growing less quickly than the inland areas of the Sacramento and San Joaquin valleys.

Still, in past years reapportionment has always been more art form than science; and, of course, legal restrictions — each district must have nearly identical populations, and the district itself must contain a contiguous land area. Within that definition, there was plenty of room to maneuver, and lawmakers did. The 1982 congressional reapportionment, designed by the late Democratic Congressman Phil Burton, is the classic example. Before Burton's creativity was applied to district drawing, the delegation was divided almost equally between Democrats and Republicans; after Burton went to work, the delegation became heavily Democratic. And it has remained that way in the 10 years since it was crafted.

The Democrats controlled both houses of the Legislature then, and Democrat Jerry Brown was in the governor's office. Democrats could draw lines to suit their purposes, unencumbered by the desires of the minority party.

But new rules have been added since then, and the political climate has changed. *Continued on next page*

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The most significant change is the passage of the federal voting-rights act. This law says that when drawing district lines, lawmakers must "maximize the opportunity" for underrepresented minority groups — in California that means Hispanics and Asians — to win public office. Unfortunately, no one knows just what the phrase means. Does it mean that you pack as many, say, Hispanics as possible in a district to insure that the elected representative from that district will be Hispanic? Or does it mean that you spread Hispanics just enough, say with 60 percent majorities, so that they have a fighting chance of winning two or three seats, but no guarantee in any one seat?

There are few guidelines, and both Democrats and Republicans expect that a lawsuit is likely, no matter what the new district lines are like.

Indeed, a central part of the Republican strategy rests on the likelihood of such a suit being filed and ultimately being successful. Republicans believe that it will be impossible for Democrats to draw lines in heavily-Democratic urban areas both to maximize minority representation and to give safe districts to incumbent Democrats, most of whom are Anglo.

Furthermore, by compacting minorities into urban districts, it makes districts on the fringe areas dicey, opening up the prospect that Republicans can win a few seats that might otherwise be unassailable.

"There is just no way they can protect their white incumbents and still meet the criteria in the voting rights act," asserts Benjamin Ginsberg, chief counsel for the Republican National Committee.

Strangely, Cavala tends to agree with the assessment. "Once you meet all the requirements of the law, there just isn't that much you can do."

Cavala and the Democrats, though, believe that white Democratic incumbents will be able to hold these new minority seats, at least for awhile.

"The law says minorities have to have the opportunity to win these seats. It doesn't say there is a guarantee minorities will win," notes Cavala.

The track record of minority groups has been good when waging these suits. The most notable example was the suit by the Mexican-American Legal Defense Fund (MALDEF) challenging district lines for the Los Angeles County Board of Supervisors. MALDEF won its suit, and a federal court judge forced the county to adopt MALDEF-drawn districts, in the process voiding an already held election even though there was a good chance the eventual winner of that seat would have been a Republican Hispanic woman. The judge also ordered the county to pay MALDEF's legal fees.

In the past, the threat of lawsuit may not have worried legislators quite as much. Ten years ago, when voters voided the plan initially approved by the Legislature, the state Supreme Court under former Chief Justice Rose Bird ruled that legislatively-drawn districts had to be used anyway because there were no other lines available that would update the district lines to conform to new population figures.

But the technology of drawing district lines has changed substantially over the past 10 years. Now, just about anyone with a powerful personal computer and several thousand dollars to spend acquiring census data can come up with at least the rudiments of a reapportionment plan.

"This time, the judges will have several plans to choose from," notes Ginsberg, adding that the judge in the Los Angeles County case accepted lines that were drawn by MALDEF.

Republicans are hoping that the state Supreme Court, now under the control of appointees of former Governor George Deukmejian, is more likely to select a plan submitted by outsiders — one Republicans believe will be more beneficial to their party than the plan that will be produced by legislative Democrats.

And because technology allows everyone to get in the game, just about all the significant players are doing so.

Although the actual drawing of lines is comparatively simple, collecting political data such as registration figures or voting histories from past elections remains very expensive. Assembly Democrats have been maintaining their data for the past 10 years, spending $2000 to $3000 per month on its upkeep. Assembly Republicans have won Rules Committee approval to spend some $800,000 this year building their own system. In the Senate, Republicans and Democrats will analyze separately but, at least at this point, want to maintain a common database. Even Governor Pete Wilson is getting in on the act. He is seeking legislative approval for $300,000 to develop his own district mapping system. His office is already in the process of retaining lawyers to intervene in the lawsuit they believe is inevitable.

Both parties' congressional delegations are also obtaining their own computer systems so that plans can be analyzed, and they are watching anxiously to see just how much deference they will be accorded by their colleagues in the Legislature.

When the last plans were drawn, Phil Burton did just about all the work on the congressional plan. But this time, legislators have made it clear they will have more say.

Furthermore, there is a lingering hostility toward the congressional delegation because of the passage of Proposition 140, the initiative measure approved by voters last November that limits Assembly members to three terms and members of the Senate to a maximum of two full terms. The congressional delegation did little to help defeat the measure, which makes a seat in Congress — where there is no term limit — look all the better to lawmakers facing the end of their state legislative careers.

The existence of at least seven new congressional seats will take off some of the pressure, but there is the feeling that, all other things being equal, if there is a choice to be made in drawing district lines, it will be drawn in favor of a legislative incumbent looking to move up rather than a congressional veteran seeking to hang on.

Faced with the fact that their plans will be quickly reviewed in any case and that the public's opportunity to review plans could become a factor in any lawsuit, both the Senate and the Assembly vow that this year the process will be more open than ever. In fact, during last month's trip to Washington, Speaker Willie Brown even met with congressional Republicans, promising that there would be a new era of cooperation in the drawing of district lines.

Committees in both houses have already begun hearings on the reapportionment process, and they have promised that proposed new lines will be available for public inspection for at least two weeks prior to passage.

But there is still substantial fear on the part of some in the political commu-

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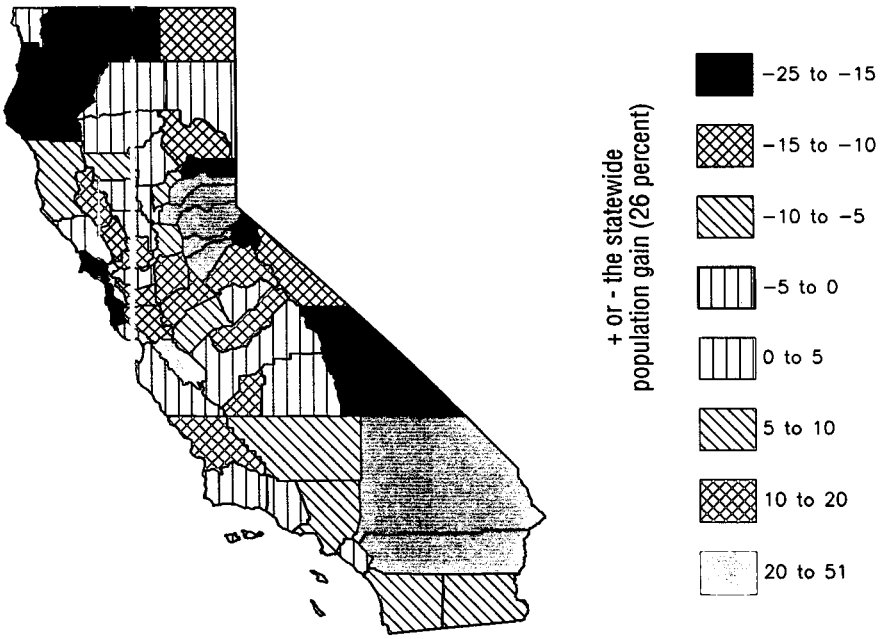
Relative Population Gain
California 1980-1990



nity that this cooperation will eventually lead to an incumbent gerrymander that satisfies Republican and Democratic officeholders but not the public in general, who will again be stuck with districts — once captured — that are unassailable by challengers.

Governor Wilson has vowed that he will veto any plan that is incumbent-safe, and he brought a recent convocation of the California Republican Party to its feet with the assertion he will work to defeat any incumbent, Republican or Democrat, who tries to protect himself during the reapportionment process.

Wilson deputy chief of staff Marty Wilson (no relation) said that the governor seeks an "honest" reapportionment that creates competitive districts while fully complying with the federal voting-rights act. Wilson said that the governor's office expects to develop guidelines that will show lawmakers just what his office expects before the process concludes. For one thing, the governor wants to make sure that this time the Legislature to a greater extent follows the existing requirement that city and county lines be respected, where possible.

Even with the restrictions of law, lawsuits and political reality, there still should be some room for incumbents to maneuver lines to their advantage. But were Phil Burton alive today, he would be chafing at the limits imposed on reapportioners this time around. He once described his plan with it's irregular lines and odd-shaped districts as a "work of art."

But this time, Cavala maintains, artistic prospects are "far, far less than they were 10 years ago."

How legislative districts have changed

SENATE

Ideal Senate district:
1982 = 591,000
1990 = 744,000 (+26%)

Unofficial 1990 population figures from Senate Demographics, April 1991

District 1
(Trinity, Siskiyou, Lassen, Modoc, Plumas, Sierra, Nevada, Yuba, Sutter, Placer, El Dorado, Yolo, Sacramento)
Population 1982: 591,000 (49% D - 39% R)
Population 1990: 807,500 (44% D - 45% R)
1984: Doolittle (R); 1990: (Vacant 1/91)

District 2
(Del Norte, Humboldt, Mendocino, Solano, Sonoma-coastal)
Population 1982: 591,000 (55% D - 30% R)
Population 1990: 771,500 (56% D - 32% R)
1982: Keene (D); 1990: Keene

District 3
(Marin, northern San Francisco)
Population 1982: 591,000 (57% D - 25% R)
Population 1990: 624,000 (58% D - 25% R)
1984: Marks (R); 1990: Marks (D)

District 4
(Shasta, Tehama, Butte, Glenn, Colusa, Lake, Napa, Sonoma)
Population 1982: 591,000 (52% D - 36% R)
Population 1990: 761,300 (48% D - 41% R)
1982: Nielsen (R); 1990: Thompson (D)

District 5
(Alpine, Amador, Calaveras, Tuolumne, Mono, San Joaquin, Sacramento, Yolo)
Population 1982: 591,000 (55% D - 35% R)
Population 1990: 822,500 (53% D - 37% R)
1984: Garamendi (D); 1991: Johnston (D)

District 6
(Sacramento)
Population 1982: 591,000 (58% D - 31% R)
Population 1990: 771,400 (56% D - 35% R)
1982: L.Greene (D); 1990: Greene

District 7
(Contra Costa)
Population 1982: 591,000 (55% D - 33% R)
Population 1990: 731,700 (53% D - 35% R)
1984: Boatwright (D); 1990: Boatwright

District 8
(San Mateo, southern San Francisco)
Population 1982: 591,000 (62% D - 24% R)
Population 1990: 634,000 (63% D - 22% R)
1982: Foran (D); 1990: Kopp (I)

District 9
(Alameda-Oakland/Berkeley, Contra Costa)
Population 1982: 591,000 (66% D - 21% R)
Population 1990: 637,000 (66% D - 21% R)
1984: Petris (D); 1990: Petris

District 10
(Alameda-San Leandro)
Population 1982: 591,000 (58% D - 29% R)
Population 1990: 715,000 (55% D - 32% R)
1982: Lockyer (D); 1990: Lockyer

District 11
(San Mateo, Santa Clara-Palo Alto)
Population 1982: 591,000 (46% D - 41% R)
Population 1990: 639,000 (46% D - 41% R)
1984: Morgan (R); 1990: Morgan

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District 12
(Stanislaus, Santa Clara-Milpitas)
Population 1982: 591,000 (54% D - 33% R)
Population 1990: 759,500 (53% D - 36% R)
1982: McCorquodale (D); 1990: McCorquodale

District 13
(Santa Clara-San Jose)
Population 1982: 591,000 (56% D - 30% R)
Population 1990: 685,000 (54% D - 32% R)
1984: Alquist (D) 1990: Alquist

District 14
(Madera, Mariposa, Merced, San Luis Obispo, Fresno, Santa Barbara, Monterey)
Population 1982: 591,000 (54% D - 36% R)
Population 1990: 814,000 (49% D - 40% R)
1982: Maddy (R); 1990: Maddy

District 15
(Tulare, Fresno-Sanger)
Population 1982: 591,000 (53% D - 39% R)
Population 1990: 766,500 (50% D - 42% R)
1984: Vuich (D); 1990: Vuich

District 16
(Kings, Kern, San Bernardino-Barstow, Los Angeles-Antelope Valley)
Population 1982: 591,000 (56% D - 34% R)
Population 1990: 781,000 (50% D - 41% R)
1982: Stiern (D); 1990: Rogers (R)

District 17
(San Benito, Santa Cruz, Monterey, Santa Clara-Gilroy)
Population 1982: 591,000 (53% D - 33% R)
Population 1990: 724,300 (53% D - 34% R)
1984: Mello (D); 1990: Mello

District 18
(Ventura, Santa Barbara, Los Angeles-coastal)
Population 1982: 591,000 (49% D - 37% R)
Population 1990: 719,500 (46% D - 40% R)
1982: Hart (D); 1990: Hart

District 19
(Ventura, Santa Barbara, Los Angeles-Newhall)
Population 1982: 591,000 (39% D - 50% R)
Population 1990: 755,200 (37% D - 52% R)
1984: Davis (R); 1990: Davis

District 20
(Los Angeles-San Fernando Valley)
Population 1982: 591,000 (60% D - 30% R)
Population 1990: 692,500 (57% D - 33% R)
1982: Robbins (D); 1990: Robbins

District 21
(Los Angeles-Monrovia/Pasadena)
Population 1982: 591,000 (37% D - 55% R)
Population 1990: 796,000 (35% D - 55% R)
1984: Russell (R); 1990: Russell

District 22
(Los Angeles-Santa Monica/Beverly Hills)
Population 1982: 591,000 (59% D - 30% R)
Population 1990: 666,000 (58% D - 31% R)
1982: Rosenthal (D); 1990: Rosenthal

District 23
(Los Angeles-Hollywood)
Population 1982: 591,000 (60% D - 29% R)
Population 1990: 681,000 (58% D - 29% R)
1984: Roberti (D); 1990: Roberti

District 24
(Los Angeles-East Los Angeles)
Population 1982: 591,000 (68% D - 22% R)
Population 1990: 681,800 (66% D - 23% R)
1982: Torres (D); 1990: Torres

District 25
(Inyo, San Bernardino, Los Angeles-Claremont)
Population 1982: 591,000 (40% D - 49% R)
Population 1990: 894,000 (38% D - 52% R)
1984: Richardson (R); 1990: Leonard (R)

District 26
(Los Angeles-El Monte)
Population 1982: 591,000 (65% D - 27% R)
Population 1990: 711,700 (60% D - 30% R)
1982: Montoya (D); 1990: Calderon (D)

District 27
(Los Angeles-Compton)
Population 1982: 591,000 (86% D - 9% R)
Population 1990: 700,700 (84% D - 9% R)
1984: B.Greene (D); 1990: Greene

District 28
(Los Angeles-Inglewood/Venice)
Population 1982: 591,000 (73% D - 19% R)
Population 1990: 686,300 (73% D - 18% R)
1982: Watson (D); 1990: Watson

District 29
(Los Angeles-Redondo Beach/Long Beach)
Population 1982: 591,000 (43% D - 46% R)
Population 1990: 652,000 (40% R - 49% R)
1984: Beverly (R); 1990: Beverly

District 30
(Los Angeles-Gardena/Long Beach)
Population 1982: 591,000 (68% D - 22% R)
Population 1990: 681,400 (66% D - 24% R)
1982: Dills (D); 1990: Dills

District 31
(Los Angeles-Whittier, Orange-El Toro)
Population 1982: 591,000 (38% D - 52% R)
Population 1990: 773,200 (35% D - 55% R)
1984: Campbell (R); 1990: Hill (R)

District 32
(Orange-Fullerton)
Population 1982: 591,000 (51% D - 36% R)
Population 1990: 745,400 (42% D - 48% R)
1982: Royce (R); 1990: Royce

District 33
(Los Angeles-Norwalk, Orange-Cypress)
Population 1982: 591,000 (56% D - 36% R)
Population 1990: 638,300 (52% D - 40% R)
1984: P.Carpenter (D); 1990: C.Green (D)

District 34
(Los Angeles-Pomona, San Bernardino-Ontario)
Population 1982: 591,000 (57% D - 32% R)
Population 1990: 916,000 (52% D - 40% R)
1982: Ayala (D); 1990: Ayala

District 35
(Orange-Costa Mesa/Anaheim)
Population 1982: 591,000 (36% D - 53% R)
Population 1990: 705,200 (32% D - 57% R)
1984: Seymour (R); 1990: (Vacant 1/91)

District 36
(Riverside)
Population 1982: 591,000 (50% D - 38% R)
Population 1990: 1,019,500 (46% D - 45% R)
1982: Presley (D); 1990: Presley

District 37
(Imperial, Riverside, Orange-coastal, San Diego)
Population 1982: 591,000 (36% D - 53% R)
Population 1990: 769,500 (33% D - 57% R)
1984: Bergeson (R); 1990: Bergeson

District 38
(San Diego-Oceanside/Mission Bay)
Population 1982: 591,000 (38% D - 46% R)
Population 1990: 912,000 (32% D - 53% R)
1982: Craven (R); 1990: Craven

District 39
(San Diego-Coronado)
Population 1982: 591,000 (39% D - 47% R)
Population 1990: 725,000 (37% D - 50% R)
1984: Ellis (R); 1990: Killea (D)

District 40
(San Diego)
Population 1982: 591,000 (56% D - 29% R)
Population 1990: 767,700 (51% D - 36% R)
1982: Deddeh (D); 1990 Deddeh

ASSEMBLY

Ideal Assembly district:
1980 = 295,000
1990 = 372,000 (+26%)

1990 population figures from Assembly Elections and Reapportionment Committee, April 1991

District 1
(Siskiyou, Modoc, Shasta, Lassen, Tehama, Glenn, Trinity, Plumas, Butte)
Population 1982: 295,000 (52% D - 37% R)
Population 1990: 366,990 (46% D - 42% R)
1982: Statham (R); 1990: Statham

District 2
(Del Norte, Humboldt, Mendocino, Sonoma-Cotati)
Population 1982: 295,000 (53% D - 31% R)
Population 1990: 363,249 (57% D - 31% R)
1982: Hauser (D); 1990: Hauser

District 3
(Sierra, Nevada, Yuba, Sutter, Colusa, Butte-Chico)
Population 1982: 295,000 (48% D - 40% R)
Population 1990: 366,866 (43% D - 45% R)
1982: Herger (R); 1990: Chandler (R)

District 4
(Solano, Yolo-Davis)
Population 1982: 295,000 (58% D - 28% R)
Population 1990: 413,602 (55% D - 32% R)
1982: Hannigan (D); 1990: Hannigan

District 5
(Placer, Sacramento-Orangevale)
Population 1982: 295,000 (53% D - 34% R)
Population 1990: 426,887 (46% D - 44% R)
1982: Moorhead (D); 1990: Leslie (R)

District 6
(Sacramento)
Population 1982: 295,000 (57% D - 32% R)
Population 1990: 326,314 (56% D - 35% R)
1982: Connelly (D); 1990: Connelly

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District 7
(Amador, Mono, Calaveras, Tuolumne, El Dorado, Alpine, Placer rural Sacramento)
Population 1982: 295,000 (53% D - 35% R)
Population 1990: 416,058 (49% D - 41% R)
1982: N.Waters (D); 1990: Knowles (R)

District 8
(Lake, Napa, Yolo Sonoma-Santa Rosa)
Population 1982: 295,000 (51% D - 38% R)
Population 1990: 360,698 (52% D - 38% R)
1982: Sebastiani (R); 1990: Hansen (R)

District 9
(Marin, Sonoma)
Population 1982: 295,000 (48% D - 39% R)
Population 1990: 349,367 (53% D - 33% R)
1982: Filante (R); 1990: Filante

District 10
(Contra Costa-Antioch, San Joaquin, Sacramento-Elk Grove)
Population 1982: 295,000 (58% D - 31% R)
Population 1990: 451,687 (56% D - 35% R)
1982: Isenberg (D); 1990: Isenberg

District 11
(Contra Costa-Richmond)
Population 1982: 295,000 (65% D - 24% R)
Population 1990: 366,104 (64% D - 25% R)
1982: Campbell (D); 1990: Campbell

District 12
(Alameda-Berkeley, Contra Costa-Concord)
Population 1982: 295,000 (59% D - 25% R)
Population 1990: 308,576 (63% D - 23% R)
1982: Bates (D); 1990: Bates

District 13
(Alameda-Oakland)
Population 1982: 295,000 (69% D - 18% R)
Population 1990: 336,069 (72% D - 15% R)
1982: Harris (D); 1990: Lee (D)

District 14
(Alameda-San Leandro)
Population 1982: 295,000 (63% D - 25% R)
Population 1990: 331,633 (63% D - 25% R)
1982: Klehs (D); 1990: Klehs

District 15
(Contra Costa-Danville, Alameda-Livermore)
Population 1982: 295,000 (39% D - 49% R)
Population 1990: 371,730 (37% D - 51% R)
1982: Baker (R); 1990: Baker

District 16
(San Francisco)
Population 1982: 295,000 (64% D - 16% R)
Population 1990: 328,067 (69% D - 15% R)
1982: Agnos (D); 1990: J.Burton (D)

District 17
(San Francisco)
Population 1982: 295,000 (58% D - 22% R)
Population 1990: 313,880 (63% D - 20% R)
1982: W.Brown (D); 1990: Brown

District 18
(Alameda-Fremont, Santa Clara-Milpitas)
Population 1982: 295,000 (57% D - 29% R)
Population 1990: 377,876 (54% D - 32% R)
1982: McAlister (D); 1990: Eastin (D)

District 19
(San Francisco, San Mateo-San Bruno)
Population 1982: 295,000 (62% D - 24% R)
Population 1990: 326,903 (60% D - 26% R)
1982: Papan (D); 1990: Speier (D)

District 20
(San Mateo-Burlingame)
Population 1982: 295,000 (45% D - 43% R)
Population 1990: 317,165 (46% D - 42% R)
1982: Naylor (R); 1990: Lempert (D)

District 21
(San Mateo-Palo Alto)
Population 1982: 295,000 (51% D - 32% R)
Population 1990: 336,763 (53% D - 32% R)
1982: Sher (D): 1990: Sher

District 22
(Santa Clara-Los Gatos)
Population 1982: 295,000 (43% D - 44% R)
Population 1990: 304,394 (41% D - 46% R)
1982: Konnyu (R); 1990: Quackenbush (R)

District 23
(Santa Clara-San Jose)
Population 1982: 295,000 (60% D - 25% R)
Population 1990: 346,343 (59% D - 29% R)
1982: Vasconcellos (D); 1990: Vasconcellos

District 24
(Santa Clara-San Jose)
Population 1982: 295,000 (55% D - 32% R)
Population 1990: 365,510 (53% D - 35% R)
1982: Cortese (D); 1990: Cortese

District 25
(San Benito, Santa Clara-Gilroy, Merced, Monterey-Salinas)
Population 1982: 295,000 (55% D - 34% R)
Population 1990: 378,877 (52% D - 36% R)
1982: Areias (D); 1990: Areias

District 26
(San Joaquin-Stockton)
Population 1982: 295,000 (58% D - 33% R)
Population 1990: 412,488 (56% D - 35% R)
1982: Johnston (D); 1990: Johnston (vacant 3/91)

District 27
(Stanislaus, Merced)
Population 1982: 295,000 (56% D - 35% R)
Population 1990: 414,705 (54% D - 37% R)
1982: Condit (D); 1990: Cannella (D)

District 28
(Santa Cruz, Monterey-Carmel)
Population 1982: 295,000 (50% D - 32% R)
Population 1990: 349,362 (55% D - 31% R)
1982: Farr (D); 1990: Farr

District 29
(Monterey, Santa Barbara, San Luis Obispo)
Population 1982: 295,000 (44% D - 44% R)
Population 1990: 407,689 (39% D - 48% R)
1982: E.Seastrand (R); 1990: A.Seastrand (R)

District 30
(Kings, Fresno, Madera, Merced)
Population 1982: 295,000 (63% D - 28% R)
Population 1990: 387,897 (59% D - 32% R)
1982: Costa (D); 1990: Costa

District 31
(Fresno-Fresno/Sanger)
Population 1982: 295,000 (60% D - 31% R)
Population 1990: 404,868 (56% D - 36% R)
1982: Bronzan (D); 1990: Bronzan

District 32
(Mariposa, Tulare, Fresno, Madera)
Population 1982: 295,000 (48% D - 43% R)
Population 1990: 377,641 (43% D - 48% R)
1982: Jones (R); 1990: Jones

District 33
(Tulare, Kern-Delano)
Population 1982: 295,000 (60% D - 33% R)
Population 1990: 376,690 (49% D - 42% R)
1982: Rogers (R); 1990: Harvey (R)

District 34
(Inyo, Kern-Bakersfield, Los Angeles-Antelope Valley)
Population 1982: 295,000 (47% D - 42% R)
Population 1990: 507,211 (40% D - 50% R)
1982: Wyman (R); 1990: Wyman

District 35
(Santa Barbara, Ventura-Oxnard)
Population 1982: 295,000 (50% D - 34% R)
Population 1990: 363,138 (49% D - 37% R)
1982: O'Connell (D); 1990: O'Connell

District 36
(Ventura-Thousand Oaks)
Population 1982: 295,000 (44% D - 44% R)
Population 1990: 431,577 (37% D - 51% R)
1982: McClintock (R); 1990: McClintock

District 37
(Ventura-Ojai, Santa Barbara-Lompoc, Los Angeles-Newhall)
Population 1982: 295,000 (45% D - 44% R)
Population 1990: 368,400 (36% D - 53% R)
1982: Wright (R); 1990: Wright

District 38
(Los Angeles-Northridge)
Population 1982: 295,000 (47% D - 44% R)
Population 1990: 348,067 (42% D - 48% R)
1982: LaFollette (R); 1990: Boland (R)

District 39
(Los Angeles-San Fernando)
Population 1982: 295,000 (60% D - 30% R)
Population 1990: 381,240 (57% D - 34% R)
1982: Katz (D); 1990: Katz

District 40
(Los Angeles-Van Nuys)
Population 1982: 295,000 (59% D - 31% R)
Population 1990: 357,636 (56% D - 34% R)
1982: Bane (D); 1990: Bane

District 41
(Los Angeles-La Canada)
Population 1982: 295,000 (41% D - 51% R)
Population 1990: 344,744 (40% D - 50% R)
1982: Nolan (R); 1990: Nolan

District 42
(Los Angeles-Monrovia)
Population 1982: 295,000 (39% D - 52% R)
Population 1990: 328,197 (39% D - 51% R)
1982: Mountjoy (R); 1990: Mountjoy

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District 43
(Los Angeles-Beverly Hills/Studio City)
Population 1982: 295,000 (57% D - 34% R)
Population 1990: 301,271 (55% D - 35% R)
1982: G.Davis (D); 1990: Friedman (D)

District 44
(Los Angeles-Santa Monica)
Population 1982: 295,000 (57% D - 31% R)
Population 1990: 307,237 (59% D - 29% R)
1982: Hayden (D); 1990: Hayden

District 45
(Los Angeles-Hollywood)
Population 1982: 295,000 (60% D - 28% R)
Population 1990: 328,880 (59% D - 28% R)
1982: Margolin (D); 1990: Margolin

District 46
(Los Angeles-Griffith Park)
Population 1982: 295,000 (56% D - 30% R)
Population 1990: 373,336 (58% D - 28% R)
1982: Roos (D); 1990: Roos (vacant 3/91)

District 47
(Los Angeles-Huntington Park)
Population 1982: 295,000 (82% D - 10% R)
Population 1990: 370,453 (81% D - 12% R)
1982: Hughes (D); 1990: Hughes

District 48
(Los Angeles-Watts)
Population 1982: 295,000 (83% D - 11% R)
Population 1990: 367,054 (83% D - 10% R)
1982: M.Waters (D); 1990: Archie-Hudson (D)

District 49
(Los Angeles-Culver City)
Population 1982: 295,000 (72% D - 19% R)
Population 1990: 319,620 (73% D - 18% R)
1982: Moore (D); 1990: Moore

District 50
(Los Angeles-Ingelwood/El Segundo)
Population 1982: 295,000 (75% D - 17% R)
Population 1990: 326,632 (77% D - 16% R)
1982: Tucker Sr. (D); 1990: Tucker Jr. (D)

District 51
(Los Angeles-Torrance)
Population 1982: 295,000 (43% D - 46% R)
Population 1990: 302,702 (37% D - 52% R)
1982: Felando (R); 1990: Felando

District 52
(Los Angeles-Whittier)
Population 1982: 295,000 (48% D - 44% R)
Population 1990: 368,093 (42% D - 48% R)
1982: Hill (R); 1990: Horcher (R)

District 53
(Los Angeles-Hawthorne/Gardena)
Population 1982: 295,000 (64% D - 26% R)
Population 1990: 328,526 (59% D - 30% R)
1982: Floyd (D); 1990: Floyd

District 54
(Los Angeles-Bellflower/Compton)
Population 1982: 295,000 (68% D - 25% R)
Population 1990: 321,830 (64% D - 28% R)
1982: Vicencia (D); 1990: Murray (D)

District 55
(Los Angeles-East Los Angeles)
Population 1982: 295,000 (68% D - 22% R)
Population 1990: 346,611 (66% D - 23% R)
1982: Alatorre (D); 1990: Polanco (D)

District 56
(Los Angeles-Maywood)
Population 1982: 295,000 (78% D - 13% R)
Population 1990: 332,666 (74% D - 16% R)
1982: Molina (D); 1990: Roybal-Allard (D)

District 57
(Los Angeles-harbor/Long Beach)
Population 1982: 295,000 (65% D - 25% R)
Population 1990: 369,717 (60% D - 30% R)
1982: Elder (D); 1990: Elder

District 58
(Los Angeles-Signal Hill, Orange-Seal Beach)
Population 1982: 295,000 (47% D - 42% R)
Population 1990: 304,571 (39% D - 51% R)
1982: D.Brown (R); 1990: Mays (R)

District 59
(Los Angeles-Monterey Park/Montebello)
Population 1982: 295,000 (65% D - 26% R)
Population 1990: 342,807 (61% D - 29% R)
1982: Calderon (D); 1990: Becerra (D)

District 60
(Los Angeles-El Monte)
Population 1982: 295,000 (64% D - 27% R)
Population 1990: 367,233 (60% D - 31% R)
1982: Tanner (D); 1990: Tanner

District 61
(San Bernardino-Redlands/Barstow)
Population 1982: 295,000 (42% D - 47% R)
Population 1990: 450,281 (39% D - 50% R)
1982: Leonard (R); 1990: Woodruff (R)

District 62
(Los Angeles-Claremont, San Bernardino)
Population 1982: 295,000 (46% D - 45% R)
Population 1990: 355,467 (41% D - 50% R)
1982: Lancaster (R); 1990: Lancaster

District 63
(Los Angeles-Norwalk)
Population 1982: 295,000 (62% D - 31% R)
Population 1990: 318,812 (56% D - 36% R)
1982: Young (D); 1990: Epple (D)

District 64
(Orange-Fullerton/Anaheim)
Population 1982: 295,000 (43% D - 46% R)
Population 1990: 319,685 (35% D - 56% R)
1982: Johnson (R); 1990: Johnson

District 65
(San Bernardino-Chino/Ontario)
Population 1982: 295,000 (54% D - 35% R)
Population 1990: 498,860 (41% D - 50% R)
1982: Bader (R); 1990: Brulte (R)

District 66
(San Bernardino-Fontana)
Population 1982: 295,000 (59% D - 30% R)
Population 1990: 460,875 (57% D - 35% R)
1982: Goggin (D); 1990: Eaves (D)

District 67
(Orange-Tustin/Anaheim)
Population 1982: 295,000 (38% D - 51% R)
Population 1990: 418,687 (30% D - 60% R)
1982: Lewis (R); 1990: Lewis

District 68
(Riverside)
Population 1982: 295,000 (55% D - 33% R)
Population 1990: 520,683 (53% D - 38% R)
1982: Clute (D); 1990: Clute

District 69
(Orange-Irvine)
Population 1982: 295,000 (41% D - 45% R)
Population 1990: 364,864 (32% D - 57% R)
1982: Frizzelle (R); 1990: Frizzelle

District 70
(Orange-Newport Beach)
Population 1982: 295,000 (39% D - 58% R)
Population 1990: 432,071 (27% D - 62% R)
1982: Bergeson (R); 1990: Ferguson (R)

District 71
(Orange-Cypress)
Population 1982: 295,000 (51% D - 37% R)
Population 1990: 330,948 (41% D - 50% R)
1982: Allen (R); 1990: Allen

District 72
(Orange-Garden Grove/Anaheim)
Population 1982: 295,000 (53% D - 34% R)
Population 1990: 381,898 (52% D - 40% R)
1982: Robinson (D); 1990: Umberg (D)

District 73
(Riverside-Hemet/Palm Springs)
Population 1982: 295,000 (46% D - 44% R)
Population 1990: 485,961 (40% D - 51% R)
1982: Kelley (R); 1990: Kelley

District 74
(Orange, San Diego)
Population 1982: 295,000 (35% D - 51% R)
Population 1990: 459,204 (31% D - 56% R)
1982: Frazee (R); 1990: Frazee

District 75
(San Diego-La Jolla/Coronado)
Population 1982: 295,000 (38% D - 44% R)
Population 1990: 403,826 (33% D - 52% R)
1982: Mojonnier (R); 1990: Alpert (D)

District 76
(San Diego-Escondido, Riverside-Rancho Mirage)
Population 1982: 295,000 (37% D - 49% R)
Population 1990: 519,909 (31% D - 56% R)
1982: Bradley (R); 1990: Hunter (R)

District 77
(San Diego-La Mesa)
Population 1982: 295,000 (43% D - 43% R)
Population 1990: 346,158 (36% D - 51% R)
1982: Stirling (R); 1990: Bentley (R)

District 78
(San Diego-Balboa Park)
Population 1982: 295,000 (47% D - 36% R)
Population 1990: 361,799 (44% D - 42% R)
1982: Killea (D); 1990: Gotch (D)

District 79
(San Diego)
Population 1982: 295,000 (60% D - 26% R)
Population 1990: 338,095 (55% D - 33% R)
1982: Chacon (D); 1990: Chacon

District 80
(San Diego-Chula Vista, Imperial)
Population 1982: 295,000 (54% D - 33% R)
Population 1990: 368,163 (50% D - 38% R)
1982: Peace (D); 1990: Peace

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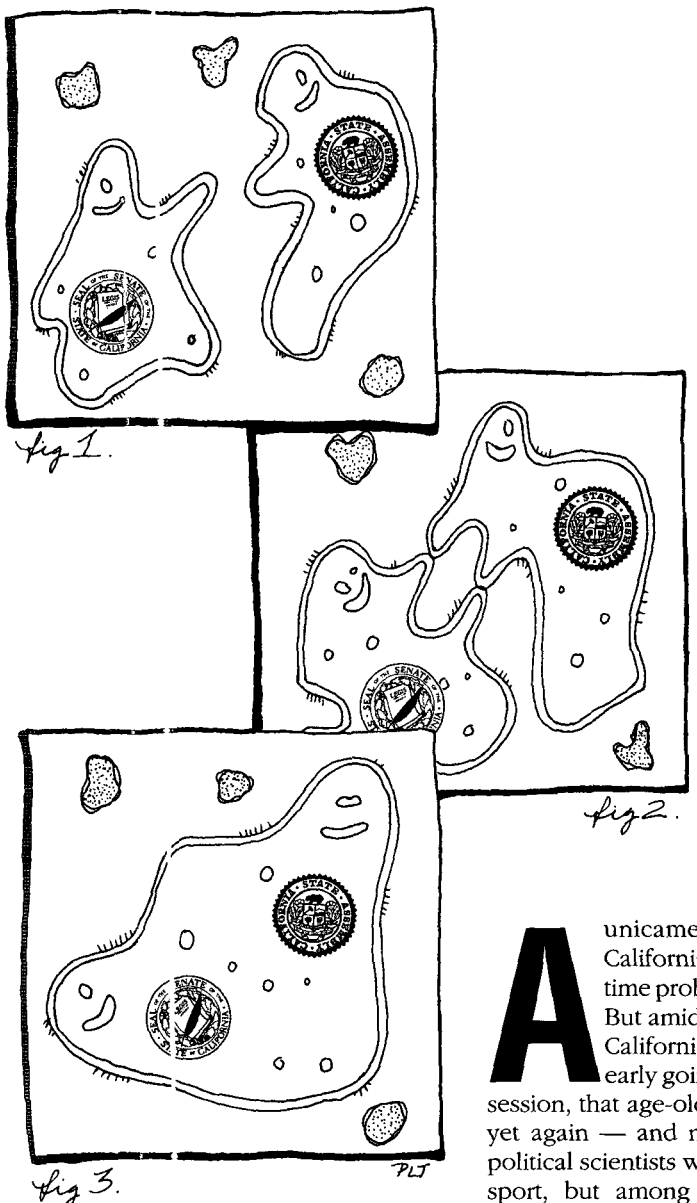

The unicameral legislature

New look at an old idea

By Jim Richardson

A unicameral legislature in California is an idea whose time probably has not come. But amid the ruin that is the California Legislature in the early going of the 1991-1992 session, that age-old idea has surfaced yet again — and not just among the political scientists who find the subject sport, but among the more cynical breed of lawmakers as well.

The outcome of their dialogue likely will not be a one-house Legislature in the foreseeable future, even its more candid proponents admit. But the discussion, some lawmakers believe, could bring a more modest *perestroika* to the hide-bound California Legislature.

The latest to advance the cause of unicameralism is Democratic state Senator Lucy Killea of San Diego, heretofore chiefly noted for her upset victory in a 1989 special election — an event in part prompted by voter reaction against a Catholic bishop who barred her from receiving communion over her pro-choice views on abortion.

In the spring of 1991, already frustrated in her new job, Killea busily stumped service clubs and lined up political scientists behind unicameralism. Killea proposes establishing a state constitutional revision commission to work out the details. She took a well-publicized trip to Nebraska, the only state with a unicameral legislature. Killea got a fair amount of news coverage on the issue, particularly in her hometown newspapers (where, perhaps not coincidentally, she has been floating the idea of running for mayor later this year).

"We have certainly ended up with gridlock rather than checks-and-balances," said Killea.

But the last thing some of the Legislature's weary leaders want to think about is a major reform of their institution at a time when they are grappling with a $12 billion budget deficit and have district reapportionment looming just around the corner. Nor have legislative leaders recovered from the legal confusion of Proposition 73's campaign contribution limits, overturned after a long legal wrangle. They are still trying

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to get used to Proposition 112, a measure they successfully put forward — with varying degrees of enthusiasm — that drastically restricts gifts and bans honoraria for speeches. And legislative leaders are still in deep shock over term limits and accompanying severe budget cutting required by Proposition 140, approved by voters in November 1990.

"The Legislature can only take so much major restructuring," lamented Democratic Senate President pro Tempore David Roberti of Los Angeles, in an interview on Killea's unicameral proposal. "If every time you turn around there is another proposal to restructure the Legislature, quite frankly we'll never get anything done. At some time we have to concentrate on substantive issues."

Killea's argument is that the Legislature has not focused on substantive issues partly because the two houses are so different. Among the contributing factors to the paralyzing budget impasse of 1990, when the Legislature left the state without authority to spend money for nearly a month, was that the two houses could not reach agreement. Each house became consumed in its own politics. At one point, the Senate passed a budget and left town, leaving a fuming Assembly. One Assembly member had choice words for the Senate's action, calling it "dog doo" left on the front porch.

The idea of a unicameral legislature has a certain appeal — doing away with duplicative legislative functions, consolidating dual committees, bringing forth a degree of efficiency and accountability — to lawmaking. Killea maintains that the only thing stopping a unicameral legislature are "artificial reasons" for having two houses and institutional resistance to change.

"I think the sense of crisis around here is causing people to look at it more closely," said Killea. "What we have isn't working. There are a tremendous number of major issues we haven't been able to deal with even in a minor way."

She got a boost to the cause from no less than Republican John Larson on his way out the door as chairman of the state Fair Political Practices Commission. "You can hide too many things with the two houses here," he said in a newspaper interview endorsing unicameralism. "One house will give you anything you want, knowing the other is going to throw it right in the river."

Killea is not the first to push the unicameral idea. Between 1913 and 1937 there were no fewer than 15 proposed constitutional amendments on the subject put forward by California legislators. The idea was revived in the 1970s by the most successful legislator of the modern era — the late Assembly Speaker Jesse Unruh. But 11 such proposed amendments got nowhere.

"The present two-house system is a costly and inefficient anachronism that thwarts the popular will, caters to private interests and hobbles responsible and responsive decision-making," Unruh said in a widely quoted speech. "Unless unicameralism is made central to the present efforts to reform and modernize state legislatures, I do not believe that increased salaries, new facilities, and professional staff will be more than temporary palliatives for the ills that it is hoped they will cure. These reforms in themselves only make a more efficient horse and buggy. I take little comfort from the fact that legislatures can be the fastest horse and buggy in the jet age."

Lucy Killea

Picking up the mantle, Democratic Assemblyman Tom Bane of Tarzana, now the powerful chairman of the Assembly Rules Committee, tried pushing a unicameral legislature in 1975. His bill was approved by a committee dominated by rebels to then Speaker Leo McCarthy. But it went no further. "Some of the people voted for it just because they wanted to have fun," Bane recently recalled.

The current majority and minority leaders of the state Senate, Democrat Barry Keene of Benicia and Republican Kenneth Maddy of Fresno also pushed unicameral bills in the 1970s and early '80s. Keene and Maddy have signed on as co-authors to Killea's bill.

"There's no reason to have two houses," said Maddy, adding he sees "no chance" for Killea's bill (a reality making it easier to support).

In advancing her bill, Killea took a different approach than in earlier efforts. She proposes increasing the size of the Legislature — although she has not suggested exactly to what size. In effect, Killea proposes giving legislators smaller districts, an idea attractive to many who are otherwise loath to a single-house legislature.

Smaller districts are harder to gerrymander. The cost of getting elected theoretically would be less and serving a smaller number of constituents would be easier. Also, the argument goes, with so many more representatives in the Legislature, it would be harder for a narrow special interest to buy or influence enough votes to dominate an issue.

"There is some logic to that," said Senator William Leonard of Redlands, the second ranking Republican. Although he calls unicameralism a "stupid idea," Leonard likes the idea of a bigger Legislature with smaller districts. However, he points out, smaller districts could be achieved without a single-house legislature. Leonard suggested increasing the size of the Assembly by a three- or four-to-one ratio with the Senate instead of the current two-to-one ratio.

"I think we pass too many laws around here," said Leonard. "The idea of us becoming a better bill factory by having one less house, one less review of some of these bills, strikes me as being absolutely wrong."

Leonard said that despite predictions to the contrary, the Assembly and Senate have each maintained a distinctive character even after court decisions put Senate districts on the same one-person, one-vote basis as Assembly districts. "Here, theoretically, we should all be duplicates of each other. We're not. And I think that's healthy. That means each of us is looking through different eyes at these same bills to see if they read the same way to each of us."

Maddy, however, said that in reality, the Legislature has killed few bills. Roughly 5000 bills per session landed

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on then-Governor George Deukmejian's desk and there is no sign the number will be appreciably smaller for Governor Pete Wilson. "There is really not a 'check-and-balance' between the two houses," said Maddy. "The trial lawyers are just as strong over there as they are here. They're not checked-and-balanced."

Like Maddy, Bane sees little chance of Killea's proposal succeeding. Bane maintained that a traditional distrust of unicameralism in the Senate will doom any such proposals. "Where it will have its most problem is in the Senate because they will not want to give up the power they've got. Where it will have the most reception is in the Assembly because they'd all like to be senators," said Bane.

Lawmakers maintain publicly that they have an open mind toward Killea's proposal. However, many say privately — and a few will say publicly — that the real value to her proposal is in spurring a discussion of the Legislature's unwieldy rules.

"I think the real benefit will come out of an examination of how well this system functions," said Democratic Assemblyman Richard Katz of Los Angeles. "I don't think you can deal with the problems of California the same way that Nebraska does. But I also think it makes sense to periodically look at the structure and see if it meets today's needs."

Roberti and many Democrats have long argued that the single largest impediment to lawmaking is not the dual-house system but the rule that the state budget must be approved by a two-thirds vote in each house. The rule has allowed a small minority of Republicans — sometimes only in one house — to thwart the will of the majority.

"It's obvious to anybody who pays attention to this — something is stopping action," said Roberti. "It's not that members don't work hard. I mean, they are here all hours of the day and night. So what is causing the roadblock? I think it is the two-thirds vote."

The two-thirds vote rule, however, has been next to godliness and the line-item veto in sanctity with Republicans, who have been in the minority in both houses of the Legislature for 20 years. However, some Republicans have begun to change their minds, partly spurred by the discussion over the unicameral proposal. The two-thirds vote has fostered a mentality of being a permanent minority, and in their view, allowed Democrats to escape responsibility for their actions.

"I think we lose in the public relations image every year," said Leonard. "We say we are holding out for something to fill in the blank. The public doesn't buy it. I'm almost of the opinion of saying, 'Look-it, you Democrats, there's a $12 billion problem — you want to run it? Here, you put it out by majority vote. Don't count on me to vote aye."

Then, Leonard suggests, Republicans will be in better position to run for office and become the majority party. "Do you like this? If not, vote for me."

And that suits Roberti fine. "Right now everybody can legitimately confuse the issue as where responsibility lies," said the Senate's top leader.

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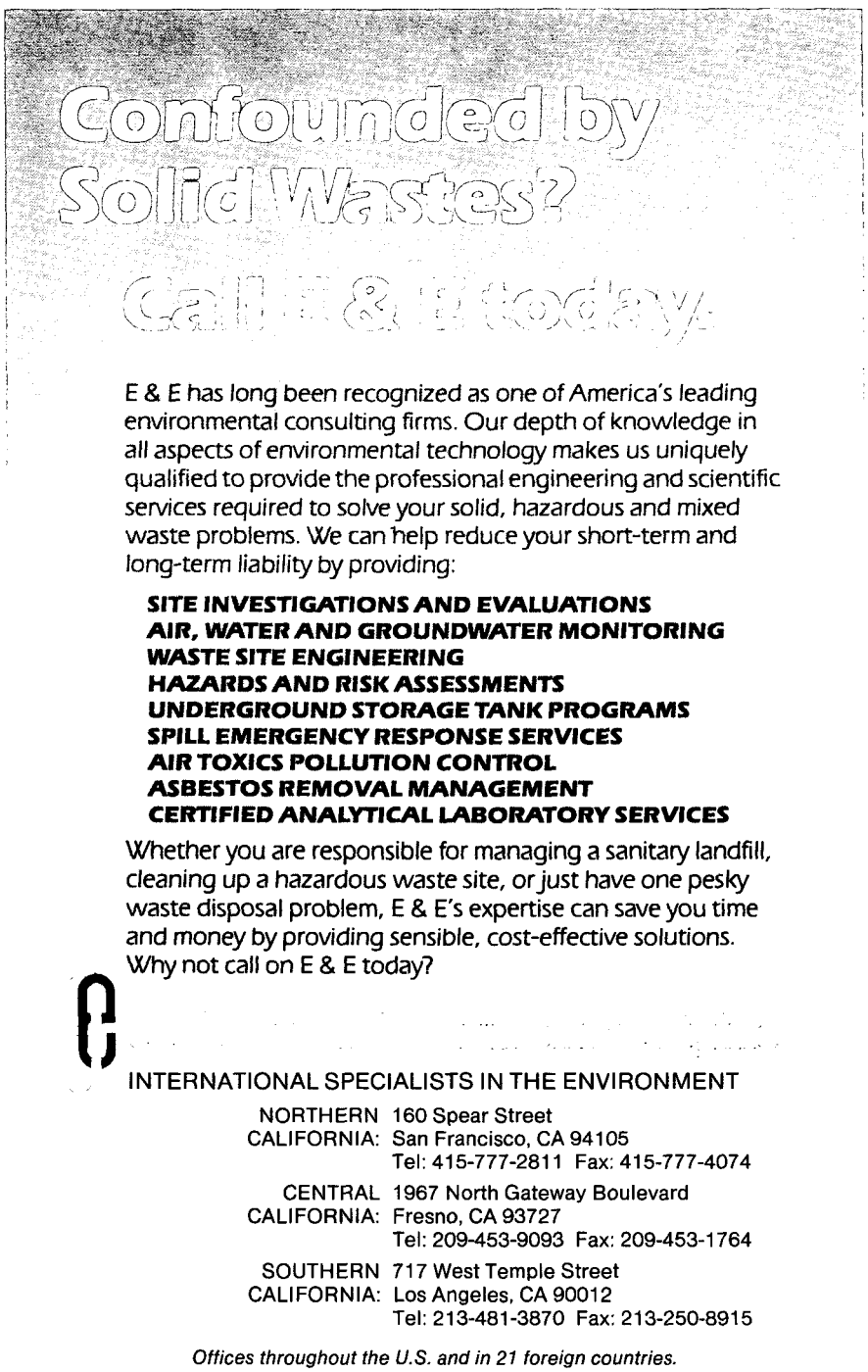

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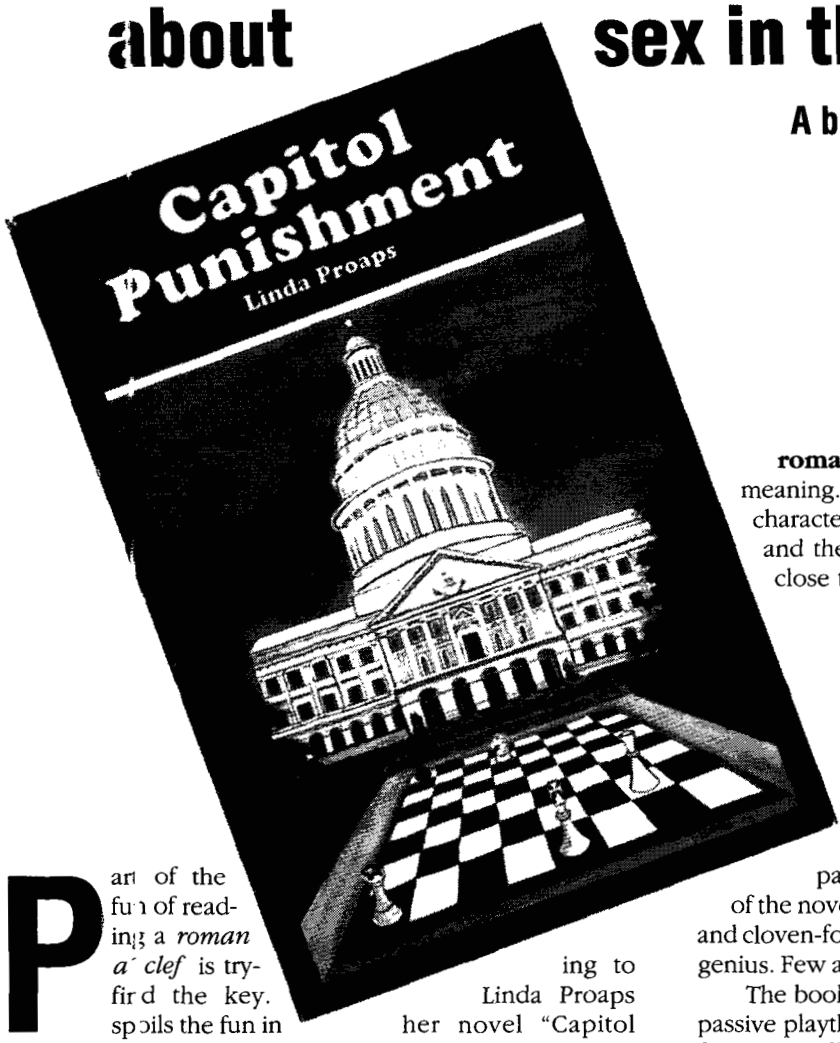
A book review by Anthony Barcellos



roman a´ clef. Literally, a novel with a key, or secret meaning. Such a work of fiction contains one or more characters and situations based upon actual persons and their lives. Often such novels skirt dangerously close to infringement of the libel laws.

"The Reader's Encyclopedia"
William Rose Benet
Thomas Y. Crowell Company
New York, 1965

Part of the fun of reading a *roman a´ clef* is trying to find the key. Linda Proaps spoils the fun in her novel "Capitol Punishment" (Lexicon 1991) by making everything much too obvious. Even her disclaimer to the contrary telegraphs what is to come: "Many of the self-centered, egotistical, and arrogant involved in politics will think this book is about them. It is not. The characters in this novel are fictional; any similarities to events or persons living or deceased are coincidental. The background, while real, has been fictionalized for dramatical effect."

Proaps constructs straw versions of the people she most disdains, and leaves these effigies in flames. Her particular venom is concentrated on the figure of Assemblyman Eric Darcy, Democrat from Long Beach. By a peculair coincidence, Darcy's physical description, his party affiliation, his term of office, the gender and number of his children, all match those of real-life Assemblyman Dave Elder, Democrat of Long Beach. Proaps is Elder's ex-wife.

The demonization of Dave Elder continues right to the packet of strange cartoons contained at the end of the novel, where Assemblyman Darcy appears horned and cloven-footed. Darcy is made out to be some kind of evil genius. Few at the Capitol would apply either word to Elder.

The book's heroine — Stacy Dillion — is a remarkably passive plaything of fate who makes an unsteady transition from the staff of the Legislature to that of the state treasurer. Dillion leaves Assemblyman Darcy's staff (after bearing him a son) and is warehoused in the Assembly speaker's Los Angeles office. She then returns to Sacramento, filling staff positions in the treasurer's collection of boards and commissions, eventually coming to ruin as executive director of the Commission on Fiscal Affairs. In real life, Proaps worked for Assemblyman Elder, served on the staff of Speaker Willie Brown's Los Angeles office, and ended her tenure in state service with a contentious stint as executive secretary of the Commission on State Finance.

Those who frequent the State Capitol and the Jesse Unruh Building will easily recognize how completely Proaps has modeled the characters and events in her book on actual people and real occurrences. Even the trivia is borrowed from reality (Stacy walks down three flights of marble stairs to go to the treasurer's office; indeed, the Commission on State Finance is on the fourth floor of the Unruh building and the executive offices are on the first floor).

"Capitol Punishment" has become a State Capitol pasttime, with injured parties ruefully referring to themselves by the names of their novelistic counterparts. (One savaged staff member of the Commission on State Finance has been

---

Tony Barcellos, former legislative assistant to Senator Albert Rodda served six-and-a-half years on the staff of the Commission on State Finance. He left state service in 1987 and has livea happily ever after as a mathematics instructor at American River College in Sacramento.

***... and were afraid someone would actually stop to tell you."**

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referring to himself as "the sleazy tax expert.") One of the more amusing sex scenes was reprinted in Herb Caen's column in the *San Francisco Chronicle*.

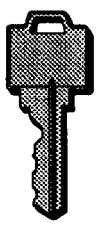
The fictional element in the novel is out of place in this thinly disguised autobiography. Stacy Dillion has her first child by a man who becomes bishop of Sacramento. This imaginary prelate is so unlike the actual head of the Sacramento diocese that we need not ask him if he is a friend of the author. The novel's clergyman provides a more intriguing plot device than would, say, a shoe salesman or movie-house attendant. But where does he come from? The author tips her hand by alluding to Father Ralph de Bricassart, an ambitious priest who has an affair in the novel "The Thorn Birds," to whom her Monsignor Adrian Domimic bears a decided resemblance.

Other departures from history are mostly amusing to informed readers. It's not a great secret that George Deukmejian carried Governor Ronald Reagan's tax-increase bill when Deukmejian was in the Legislature. Proaps would have us believe that a billion-dollar measure like this would be hidden in the legislative archives, to be ferreted out only by the dilligent efforts of her heroine. Later, as executive director of the Commission on Fiscal Affairs, Stacy is portrayed as becoming a greater media figure than even the speaker of the Assembly. "Capitol Punishment" is by turns history and fantasy.

If we try to ignore the novel's origins and size it up as simply a work of fiction, how does it fare? Not well. An apolitical reader looking for a good read will be startled by the way charcters appear and events occur without preparation. Proaps merely borrows them from the reality she pretends not to be using. For example, the "Circle of Seven" comes out of nowhere when Proaps needs to put Assembly Speaker Sheridan Wexler in a bind. She just expands on Willie Brown's old nemesis, the "Gang of Five." A reader unfamiliar with the historical background will be confused rather than amused by these pop-up characters.

Finally, Proaps runs afoul of the first-time novelist's common failing: an inability to convey information without mangling her prose. A single example from the beginning of the book suffices: "Six years earlier, Jillian and Alexandria had come to live with Stacy, Paige, and Stacy's mother, Miriam, when their father, Stacy's brother, died."

"Capitol Punishment" purports to be a cautionary tale of state politics. It reads, however, like the memoirs of one who played the game with relish until she lost big.



Dramatis personae

Stacy Dillion	Linda Proaps
Eric Darcy	Dave Elder
Sheridan Wexler	Willie Brown Jr.
Abraham Keyser	Jesse Unruh
Max Poe	Elizabeth Whitney
Vane Fairweather	Gray Davis
Seth Hardy	B.T. Collins
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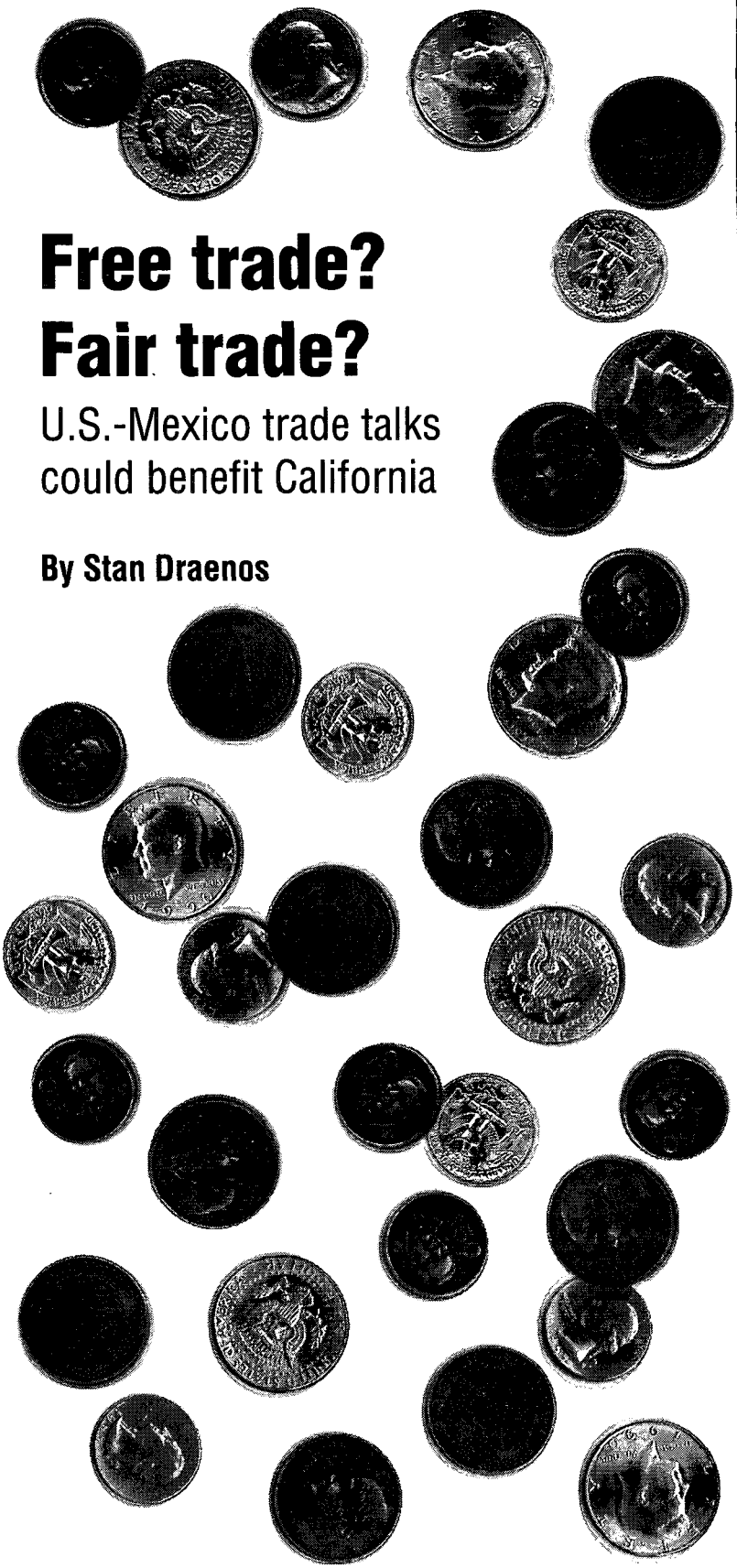
Free trade? Fair trade?

U.S.-Mexico trade talks could benefit California

By Stan Draenos



Trans-border commerce between the United States and Mexico has leapt to $50 billion a year since Mexican President Carlos Salinas de Gortari threw open the doors to world trade in 1989, making Mexico third, after Canada and Japan, among America's trading partners. Now the U.S., Mexico and Canada are about to start talks for a North American free-trade agreement (NAFTA) that would open these doors permanently and create what enthusiasts promote as the biggest show on the planet. With U.S.-Canada free trade in place since January 1989, the addition of Mexico, they point out, will create a North American market of 360 million consumers who generate $6 trillion a year in goods and services — and already trade $200 billion worth of them annually.

While positive about the prospect, Governor Pete Wilson is more sober than enthusiastic. "California could be the big winner in free trade with Mexico," he told the members of the California State World Trade Commission on February 27th, "but California could also be the big loser if we don't get adequate protections."

Wilson's reservations reflect the threats and opportunities confronting Californians as the economic integration of the Pacific southwest enters a decisive phase. Numerous issues crowd the agenda.

- Growers of specialty fruits and vegetables — broccoli, cauliflower, spinach, asparagus, lettuce, tomatoes — already face increasing competition from Mexican agriculture.
- Environmental protection is an issue on at least two fronts — the worsening problem of trans-border pollution and the flight of California industries seeking to escape this state's strict environmental standards.
- In addition, the astonishing vitality of Maquiladora industry (a semi-free trade, co-production arrangement with major activity south of the California border) has raised fears among workers from California to Canada that their jobs will be the main export to benefit from free trade.
- Another labor issue is the continuing influx of economically vital, but undocumented Mexican workers. Though Salinas, to avoid controversy, took the free flow of labor off the table, the interest in getting a handle on the problem of illegals will no doubt put the issue back on.
- Finally, drug smuggling — the trade issue that dares not speak its name — will likely enter the debate at some point, given Los Angeles' current eminence as the nation's prime port of entry.

Clearly California has a considerable stake in the deal's final shape, not to mention its enormous symbolic importance for the state's burgeoning Latino population. And given the odd convergences and sharp contrasts of their agendas, California industry, agriculture, labor and environmental groups will give the governor's trade officials plenty of cause for late-night candle-burning as they try to sort it all out.

Wilson apparently intends to mobilize California's considerable clout in Washington to push his final agenda, whatever that may turn out to be. In remarks at the February World Trade Commission meeting, the governor announced he was abandoning his opposition to President George

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Stan Draenos is a Sacramento-based writer, researcher, and communications consultant.

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Bush's request for "fast-track" authority for the talks, but at a price. ("Fast-track" authority enables the president to present Congress with a completed deal and to ask for a straight up or down vote, without amendment.)

Explains Ira Goldman, Wilson's newly appointed trade representative, "We've talked personally with [U.S. trade representative] Carla Hills and made it clear that, in exchange for accepting presidential 'fast-track' for the talks, we expect direct meetings with the U.S. negotiators to make sure California interests are protected." The first of those meetings is scheduled for May 1991.

California's support will help Bush's bid for the fast-track go-ahead, but getting it still won't be a cakewalk, even though the process is structured to favor the executive branch. Under fast-track provisions, Congress will need to act by the end of May to deny the president authority. Otherwise, he will automatically receive it.

Opposition comes mainly from organized labor. Fueled by job losses in the current recession, the AFL-CIO plans to mount an intense effort to secure a congressional denial of fast-track in hopes of nipping talks in the bud. Already debilitated by the country's shrinking industrial base and the exporting of industrial jobs, the AFL-CIO views the deal, in the words of labor economist Mark Anderson, "with considerable alarm." The phenomenal growth of the Maquiladora industries along Mexico's northern border with the U.S. demonstrates, they feel, what is really behind the push for free trade: access by U.S. firms to cheap Mexican labor.

In fact, Mexico's low wage rates are a considerable draw for many U.S. industries, especially those competing under globalized conditions of production that give national boundaries the appearance of an annoying inconvenience. The number of Maquiladoras — largely U.S. — or Asian — owned plants operating under a production-sharing arrangement that eliminates most tariffs — has tripled since 1982. The plants employ more than 500,000 Mexicans.

The Wilson administration appears sensitive to worker concerns but stops far short of adopting labor's fall-back position that, if a deal is to be struck, it should include a "harmonization" of U.S. and Mexican wage rates.

Attempting to dictate Mexican domestic policy in this way, says Goldman, "...borders on the preposterous. Our position is that, if goods are not subsidized, are produced in an environmentally sound manner and are not being dumped on the U.S. market, they should be able to be traded fairly." According to Goldman, the problems arising from wage differentials argue not for blocking free trade but for giving affected industries "the opportunity for transition."

There is considerably more behind free trade, however, than a desire to access cheap Mexican labor. It was Mexico, after all, that proposed free trade in the first place. Fears over a growing protectionist mood in this country were arguably the main motive.

Harvard-educated President Salinas floated the idea of U.S.-Mexico free trade last year as a means of bolstering and solidifying economic policies he hoped would lead Mexico out of a decade of economic crisis.

Traditionally, Mexico has followed a development strategy based on substituting local products for imports by nurturing domestic industries through protection, government subsidies and state monopolies. In the 1970s foreign exchange from Mexican oil fueled these policies — but also encouraged Mexico to borrow heavily from capital-rich foreign banks anxious to offer credit. With the oil price collapse of the early '80s, Mexico plunged into an unrelenting recession exacerbated by massive foreign debts.

Faced with the need for non-oil sources of foreign exchange, Salinas took a new tack. In a bold departure, he moved to privatize state-owned industries, cut state subsidies, liberalize investment laws, and reduce tariffs. In the meantime, he extended the life of severe wage and price controls to reduce galloping inflation and struck a debt-relief deal with Washington that has made him the darling of the international banking community.

Initially, Salinas hoped this would be enough to attract foreign investors, modernize Mexican industry, and secure global markets for Mexican goods. Fears of growing U.S. protectionism and dismay over dimming trade prospects with a self-preoccupied Europe, however, led him to the same conclusions the Canadians had drawn a few years before: Better to establish guaranteed access to the vital U.S. market through a free-trade arrangement than chance being closed out if and when the gringos decide to circle the wagons.

As if to confirm Mexico's fears about global trade trends, talks in the context of the General Agreement on Trade and Tariffs (GATT) recently ended in failure with the U.S. and Europe wrangling over agricultural subsidies. The failure has raised doubts about the viability of existing multilateral arrangements in smoothing the paths of global trade.

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Canada's decision to take part in the trilateral trade talks also was driven by fear. Mired in a constitutional crisis over the status of Quebec and under fire about the loss of Canadian jobs many attributed to its free trade pact with the U.S., Brian Mulroney's Conservative government was at first noncommittal.

Slowly, however, the Canadian Conservatives warmed to the idea as they began to ponder the consequences of non-participation. Canada could better defend its interests, they decided, by joining in rather than by staying out, even at the risk of re-opening contentious issues enshrined in the U.S.-Canada free trade agreement. Summing up the national response, the Toronto *Globe & Mail* noted, "Here we go again."

Canadians express dismay, however, at the argument, oft-heard of late, that the strength of free trade will be in bringing together Canadian natural resources, U.S. industrial might and Mexican labor. Canada, and in particular Ontario and Quebec they point out, has a substantial industrial base.

Mexico and Canada have relatively few commercial dealings with each other, but their economies share a heavy dependence on trade, and on the United States as their key trading partner. Each country's trade with the U.S. constitutes 60 to 70 percent of its total commercial exchanges with the outside world.

For the Bush administration, Salinas' proposal couldn't be more welcome. But immediate economic considerations are not the reason. As many observers point out, the economic impacts of free trade for the U.S. will be limited and, in any case, Salinas' policies have already seen a dramatic fall in tariffs and allow for far greater foreign ownership than in the past. The causes of Washington's enthusiasm are of a more long-term, strategic nature.

Already impressed by Salinas' embrace of U.S. economic principles, Washington sees a free-trade pact as cementing Salinas' transformation of Mexican attitudes towards the U.S. Once driven by suspicion of the gringo imperialist, Mexican policies now manifest a desire to act and be treated as a partner. The Wilson administration shares this view of free trade and believes it holds the key to Mexico's long-term prosperity — to California's benefit.

"Having an economically vibrant neighbor is definitely in California's interest," Goldman professes. Goldman sees a prosperous Mexico both as a vital market for California goods and as the solution to the problem of illegals seeking greener fields north of the border.

Moreover, Wilson has taken concrete steps to elevate Mexico in the priorities of the statehouse. He shifted the headquarters of the Governor's Office of California-Mexico Affairs from Sacramento to San Diego and appointed Elsa Saxod, former head of the city's Office of Bi-national Affairs, as its director. He also created the new post of assistant to the governor on international affairs to oversee the office and appointed Francisco Herrerra to fill it. Herrerra for the time being will focus exclusively on Mexico. Trade representative Goldman caps the administration's trade hierarchy.

The Wilson administration has to this point been in a listening mode. A focus for discussion was provided by the California State World Trade Commission, which in January released a paper surveying "issues for consideration." The issues are legion: Differences in business practices and legal frameworks, infrastructure and transportation problems, tariffs — and in particular the effects of removing them on import-sensitive California fruits and vegetables — and questions of market access. Rules of origin need to be defined in order to prevent third-party goods (for example, imports from Japan) flowing from Mexico to the U.S. as a Mexican product. California agriculture is concerned to about maintaining the availability of seasonal workers. U.S. insurance companies and banks recently have gained the right to do business in Mexico but have been slow on the uptake. There are hopes that a free-trade deal will make it easier for financial services to conduct business there.

Ownership of and foreign access to natural resources, especially oil, is a politically volatile issue in Mexico, but given the obvious American strategic interest in securing reliable alternatives to Middle East oil, it will be difficult for the Mexicans to keep it off the table. Government subsidy policies are another sticky issue. As the U.S.-Canada pact demonstrates, which state subsidy makes the playing field uneven depends on where you stand. Canada and the U.S. continue to hold talks over the subsidy issue, even after their agreement has gone into effect.

In California, agriculture issues will likely be the most difficult to grapple with. The state's fruit and vegetable growers were early and vociferous in raising their concerns. Included in the Western Growers Association extensive free-trade wish list are a "snap-back" provision that would restore tariffs when Mexican imports cause a nose-dive in domestic prices, standardization of pesticide use, harmonized plant

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health regulations, and a handle on Mexican agricultural subsidies.

Feeding this protectionist attitude is the growers' unhappiness at seeing bilateral free trade negotiated at a time when multilateral trade in agriculture, they feel, is stacked against them. As Anne Chadwick, the manager of agricultural policy for the California State World Trade Commission, explains: "If California agriculture is going to give up some of its import protections, it is reasonable for them to expect the U.S. government to be more aggressive in opening up closed export markets in other parts of the world."

Agriculture appears to have gained a close and sympathetic hearing from the governor's office. "Agricultural producers and processors need to be given time to adjust," says Goldman. "But there's a second issue. No state cares more about food, health and environmental safety than California."

Environmental safety, however, applies to more than just agriculture. One of the draws of the Maquiladora industry has been relative freedom from the kinds of environmental restrictions that U.S. firms find increasingly onerous in places like Southern California. A report in the *Los Angeles Times* found that 40 furniture manufacturers had relocated from the L.A. basin to Tijuana to escape the phase-out on solvent-based paints, stains and lacquers imposed by the South Coast Air Quality Management District in 1988.

This phenomenon has created an alliance between some labor and environmental groups, who propose Mexico's adoption of a social and environmental charter as a condition for an agreement.

The consequences of Mexico's lax environmental regulations and horrendous infrastructure problems also are felt by the U.S. public more broadly. The Tijuana River has become little more than a sewage ditch spilling 12 million gallons of raw waste daily across the U.S. border into San Diego County. Wind patterns mean a daily "smog exchange" between L.A. and Tijuana.

If Los Angeles Democratic Assemblyman Richard Polanco has his way, the California Legislature will become a focus for these issues, as well as more business-oriented concerns over infrastructure impediments to the free flow of commerce. Last session, his bill to establish a bonding authority for infrastructure projects ran afoul of local officials in San Diego. This year, Polanco is making a more modest proposal: the creation of an advisory commission to study border region infrastructure needs, identify funding mechanisms, and propose a series of projects within a five-year horizon. Conceivably, free trade could be linked to the establishment of funding mechanisms for these projects, sweetening the pill for many Californians disturbed by the impact of increased commercial activity across the border.

While many of its issues are economic and technical in nature, free trade also has an unmistakable cultural aspect. For California's Latinos, a free-trade deal is more than an economic proposition. It means a U.S. recognition of Mexico as a moral and political equal. It could well play a catalytic role in the psychological empowerment of California's Latinos that is critical to their political empowerment. And finally, it could lay the economic basis for the emergence of a unique Latinized American regional culture.

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PROPOSITION 139 AFTERMATH

Few jobs for state's prisoners

By Lee Romney

If all goes according to plan, California's prison inmates soon will be recycling old tires, making brooms and electric circuit boards, telemarketing and baking bread — while building a nest egg, paying taxes, paying damages to their victims and contributing to their own room and board.

It's all part of Proposition 139 — the successful November 1990 ballot initiative allowing the Department of Corrections to hire out inmates to private industry. In theory, private businesses will also benefit: For the first time since 1879, they will be permitted to make a profit on prison labor. Two eager California developers have proposed building industrial prison malls — where inmates would live and work for a host of private concerns — and a San Luis Obispo entrepreneur wants to install a 900-number phone line in Charles Manson's cell, wagering that the curious and macabre will pay per minute to chat with the infamous psycho-killer.

But those critical of the bloating corrections budget say Proposition 139 may not bring the 7000 jobs its backers promised or help ease the mounting pressures of an exploding prison population. The measure may also face a constitutional challenge by organized labor advocates, who believe jobs should be saved for workers outside the prison walls.

"I'm concerned that voters think it will start massively cutting inmate costs — having them pay for their own keep. It costs twenty grand a year to keep an inmate in prison. It's not like they're going to pay that back," said Geoff Long, consultant to the Assembly Ways and Means Committee. "The idea is righteous and appropriate, but the rhetoric it was wrapped in is more than disconcerting."

About 8000 of the state's more than 98,000 adult prisoners already work in prison industries, and tens of thousands more work to keep the prisons running and the grounds maintained, but until voters approved creation of the Joint Venture Program in November, inmates could

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Lee Romney writes for California News Service, a project of the University of California, Berkeley graduate school of journalism.

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legally labor only for the public sector. And the products produced had to be sold to local and state government.

The ballot initiative, which amends the state Constitution, mandates that businesses pay the same wages they would pay on the outside, and limits the use of prison labor during strikes or lockouts. The incentive: Employers will receive a 10 percent tax credit on inmates' wages. Eighty percent of prisoners' paychecks will be carved up among federal state and local taxes, room and board, a victim restitution fund, and support to the prisoners' families. The initiative also sets up an appointed advisory board to the head of the Department of Corrections, representing state agencies, labor and private industry, and allows local jails to come up with similar local ordinances.

A pet project of former Governor George Deukmejian, the initiative was sold to voters as a state money-saver that would punish prisoners by making them pay their way, while relieving overcrowding under the work-credit policy that grants inmates a day off their sentence for every day worked.

"It was a total diatribe on Deukmejian's part. You're never going to create that many jobs," Long said. "Anything that would create more programs for inmates is sound programmatically and sound fiscally, but to paint it as a big cost-saving thing is just inaccurate."

As it is, 10,000 inmates are on work waiting lists, said Mike Van Winkle, spokesman for the Department of Corrections, which administers all adult prison facilities. "We'd like to employ all 10,000," he said.

But Craig Brown, undersecretary of the state's umbrella Youth and Adult Correctional Agency, acknowledged it is difficult to say how receptive the market will be, especially during a recession. "You've got to get some pretty brave businesses. Not every business is willing to go set their business up inside a prison," he said. But while labor argued the cost of the bureaucracy would outweigh the benefits of the program, Brown said that is unlikely once the program is "up and running."

Voters approved the measure — based on an existing five-year-old program run by the Youth Authority — 53 percent to 47 percent, ending nearly a decade of standoffs with labor interests in the Legislature, Brown said. But the real costs and benefits of the program remain hard to pin down.

One week before the election, State Controller Gray Davis released a report, requested by Senate Industrial Relations Committee Chairman Bill Greene, a Los Angeles Democrat, reviewing the fiscal impacts of Proposition 139. Rather than saving the state money, the report said, the measure would cost the state's general fund more than $16 million.

"We found that the benefits to the state would likely be much less than what the administration was claiming prior to the election, primarily because of the fairly expensive start-up costs of setting up and administering the program," said Ed Fong, press secretary to Davis.

The report based its claims on an examination of the Youth Authority's program, projecting losses on the potential bureaucratic costs of a 7000-participant program. It also discounted the Youth Authority's contention that offering inmates viable work skills has reduced recidivism, saying the agency has been unable to prove the connection. Realisti-

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cally, the report concluded, the Joint Venture Program could create 950 jobs over the next five years, not 7000.

The Youth Authority's comparable Free Venture Program hires out about 100 wards to private industry, said program administrator Fred Mills.

Nor do the experiences of other states bode well for dreams of a prison-labor boom. Of the 59 state and county programs across the country that contract inmates out to private industry, the state of Minnesota's is the largest, employing 1?2 inmates, Mills said.

While the number is small, Richard Christ, director of the corrections' industries program at Minnesota's Stillwater Prison, said it represents 15 to 17 percent of that prison's population.

"In the early days the industry program supported the whole prison operation," Christ said. "It seems like every year it gets more expensive to operate. Now it has no role in supporting the program."

It is unclear how the arithmetic will transfer to California demographics: 7000 participating inmates would only represent 6.7 percent of the state prison population.

The pressure of an exploding prison population and equally expanding budget has driven the Proposition 139 debate. In the Deukmejian years alone, the state prison population grew threefold, from 32,127 to 97,000. State prison expenditures increased 250 percent, from $549 million to $2.2 billion a year. The total $3.7 billion criminal-justice budget proposed by Governor Pete Wilson represents a 13.2 percent increase over last year, and the figure is expected to top $4.6 billion by 1996. According to Corrections, by then the number of state inmates will have topped 173,000. The prisons are already operating at 180 percent of design capacity, Van Winkle said. Under the Deukmejian administration, 25 new prisons were authorized, and 14 activated with $3.6 billion in bond and general-fund money, according to an Assembly Ways and Means Committee assessment. A prison-construction bond measure on the November 1990 ballot was defeated by voters, the first such bond measure killed by voters in many years.

Long said it's extremely difficult to cut the Corrections budget.

"Basically, the Corrections budget is generated by the Corrections population. If you want to seriously reduce the budget, you have to reduce the Corrections population," he said. "There's nothing major on the horizon to show the population will take a significant dip.

"You can cut the population, cut the staff that operates prisons, or cut programs. They hardly have any programs now, and if you cut staff, you're fighting the union and public safety issues. When you see a 14 percent increase, the temptation for members is to say, 'Hell, let's make it 7 percent,' but what are you going to cut — lunch, dinner? Those are hard choices."

Proposition 139 also has been presented as a way to reduce the prison population by giving more prisoners an opportunity to earn work credits that shorten their sentences. As it is now, even those inmates who are wait-listed earn a day off for every two days on the list. Once employed, they would earn day-for-day.

In a Statement of Emergency filed with the Office of Administrative Law shortly after the election that sought to speed up the constitutional amendment process, Corrections

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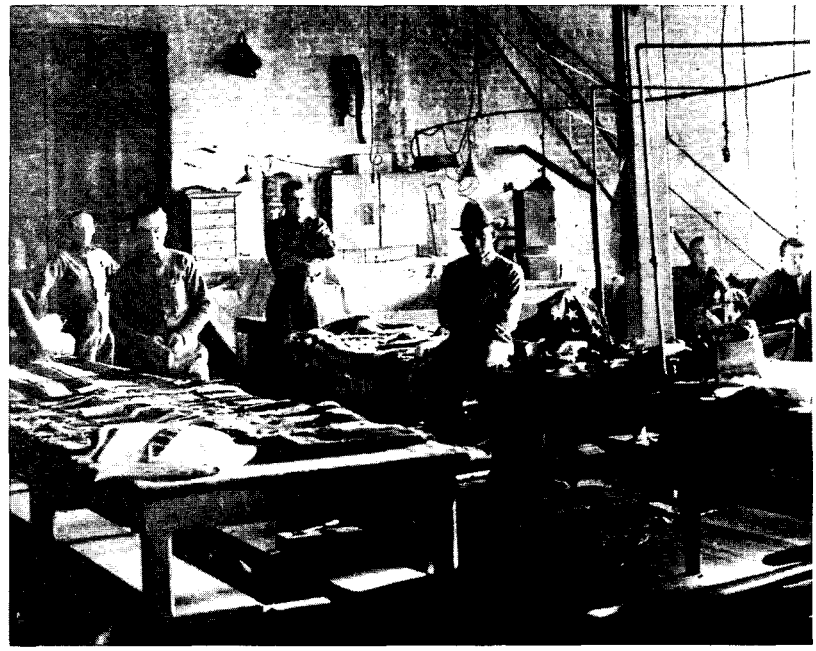
said more work would mean more inmates leaving the system.

"It is essential that work opportunities offered by [the Joint Venture Program] be provided to the maximum extent in order to prevent our prisons from bursting at the seams. The time to act is now," the statement said.

But that policy seems precisely at odds with what Governor Wilson himself wants. In his State of the State address, he pledged to pursue legislation that would cut down on day-for-day work credits for some felons, and Assemblywoman Paula Boland, a Granada Hills Republican, has authored a similar bill aimed at sex offenders.



Prisoners making American flags

"We recognize the financial strain," said Boland legislative assistant Kris Frank, "but I think we have to put public safety in front of that."

The Youth Authority's Fred Mills said the arguments boil down to a philosophical difference of punishment versus treatment. "They took the room and board, the victim restitution, the savings aspect, with the philosophy of Corrections, which is punishment. It says that in the Penal Code. Our [philosophy] is treatment and training," said Mills.

The battle over numbers and the Gray Davis report fail to quantify the program's benefits, Mills said. "When I look at the overall program, what isn't calculated is the job skills gained and how [the wards] feel about themselves when they leave," Mills said. "They have accountability, responsibility, self-esteem."

Even though there is no formal study, the Youth Authority has tracked wards who have left the system after participating in the program and Mills said the recidivism rate is half that of other wards.

Brown, of the Youth and Adult Correctional Agency — which oversees both the Youth Authority and Corrections — concurred. "The real money-saving thing is reduced recidivism," he said. "If they don't come back, you're not going to build a cell for them and spend $20,000 a year."

Labor remains strongly opposed to implementation of the initiative for other reasons, and is hoping to challenge it in the courts.

John Henning, executive secretary-treasurer of the California Labor Federation, AFL-CIO, called the advisory board's function an "absurdity." "We're pitifully represented. The advisory board is totally fraudulent. It has no authority, no decisive power, only the power to recommend," he said.

"What we are concerned with now is probing the possibility of a constitutional challenge," Henning said of his organization. California Labor Federation lobbyist Tom Rankin said the group has designed a bill that will be carried by Democratic Assemblyman John Burton of San Francisco, chairman of the Assembly Public Safety Committee, that would offer additional protection to labor. The bill requires public hearings by the advisory board in each county to determine how to avoid adverse effects on the working people of California.

The bill defines "adverse impact" as the loss of 20 or more workers in the same job classification to inmate labor. If such adverse effect is found, that inmate-labor program would be suspended for two years.

Labor might have been better off with the most recent legislative version of the measure as ACA 11, authored by GOP Assemblyman Bill Baker of Danville, and introduced in January 1989, Craig Brown said. Another lawmaker — Democratic Assemblyman Terry Friedman of Sherman Oaks — attempted to amend in labor's interests and eventually signed on as a co-author, but labor still opposed it.

The bill would have provided stricter protection for labor in the event of strikes and a 2000-inmate cap on the program until the effect on local labor became apparent, said Friedman chief of staff Karin Caves.

"It accepted the evil position of the employment of prisoners by private capital," Henning said of the bill. Henning said a 7000 inmate-participation projection may not be unrealistic. "The appetite of American business for cheap labor can never be exhausted," he said.

The Department of Corrections has received 50 to 60 inquiries about the program, said Van Winkle, and hopes to have it up and running within a few months. But the department is still waiting for an answer from the Department of Finance on its request for four staff people, and a request for a supplementary $280,000 to make it through this fiscal year is sure to be rejected, said Ways and Means' Long. The advisory board was appointed by Deukmejian before he left office.

Once staff is hired on, they can begin to develop an active marketing plan to recruit business and begin reviewing applications, Van Winkle said.

Proposals from business will be reviewed by the advisory board, but the Manson 900-line has already been nixed, said Mills. The CYA's Mills spent five weeks at Corrections helping it set up the program and took the call proposing the idea.

"He said, 'You know, if you look at it, it's a moneymaker,'" Mills said. "But we would be rewarding the people in the institution based on the severity of their offense. I said that in all good conscience we just couldn't get into something like that."

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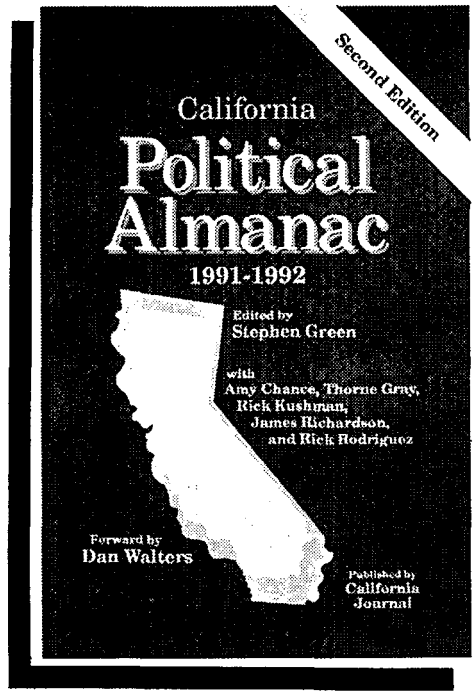

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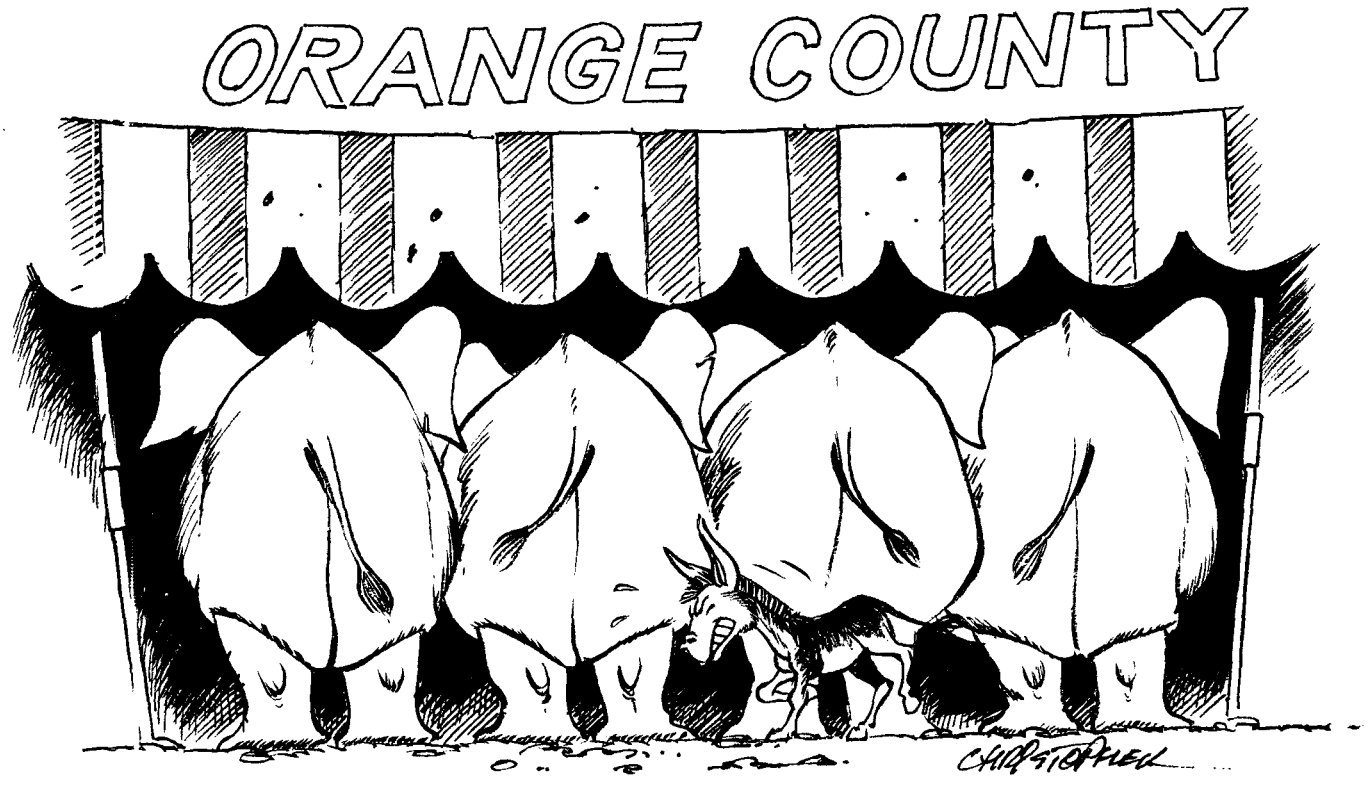

Is there room for Democrats under the Orange County tent?

By Larry Peterson

When more than 100 Orange County Democrats met in March for breakfast at the state party convention in Oakland, there was some of the usual self-deprecating humor.

"I'm nervous to see so many Democrats from Orange County," said Democratic Freshman Assemblyman Tom Umburg of Garden Grove, who served as master of ceremonies. "I've got to wonder who's left down there."

But this was not the same down-in-the-mouth group that tried to boost morale a few years back by ordering the printing of bumper stickers declaring, "It's OK to be a Democrat in Orange County." Nor were there jokes, as in past years, about this being the organization that meets in a phone booth or holds its election night party at a Santa Ana restaurant called Tiny's.

Although heavily outgunned by Orange County Republicans in registered voters, offices held and money, the local Democratic cadre is in its most upbeat mood in more than a decade.

"There is a certain edge among Orange County Democrats," said newly elected state party chairman Phil Angelides of Sacramento. "Maybe it comes from the difficulties they face. They seem to have that extra desire to win. At recent party events in Orange County, I've seen Democrats who had dropped out of politics," he said. "We're coming back down there."

Still, the odds make Orange County uninviting water for Democrats — so uninviting that when Michael Balmages approached former Orange County

Larry Peterson is political editor for the Orange County Register.

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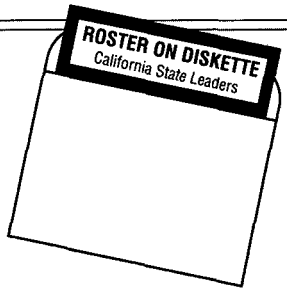

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Democratic Party Chairman Howard Adler about running for Adler's job in 1988, Adler's advice was pointed: "You have to be crazy to want to be Democratic chairman in Orange County."

So, who ran for and was elected chairman of the local party organization in January? "Well, I guess I just have to accept the fact that I'm a little bit nuts," Adler, a veteran party activist, said with a shrug.

Adler seemingly is proof that hope springs eternal — and that memories, especially unpleasant ones, can be short-lived. He insists that he is not suited up for a kamikaze mission. But he faces daunting odds. Consider:

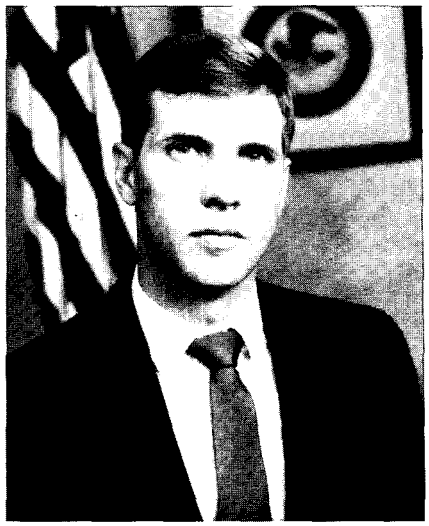
- Republicans usually roll up such big margins that the county is, as Adler puts it, the "graveyard" of Democratic statewide political ambitions.
- Orange County Democrats suffer from a poor financial base, anemic voter turnout, fickle party loyalty and spotty organizational structure.
- Republicans hold all but two of the 18 partisan offices based completely or partially in Orange County.
- The GOP retains a near-record countywide voter registration lead of almost 237,000 over the Democrats.
- The local grip of Republicanism in the county sometimes has been so strong, once lamented Sarah Catz of Laguna Beach, that there is a social stigma attached to being a Democrat. At some cocktail parties, she said, "A person has to whisper that his spouse is a Democrat."

But Adler said all that is about to change. Within a few years, he said, Democrats will be competitive in the county; they will hold at least one of the five congressional seats, one of the five state Senate seats and at least two of the six Assembly seats.

Local Republicans can barely suppress their guffaws.

"I've got to get some of that stuff he's been smoking," Orange County Republican Party Chairman Tom Fuentes said. "It sounds like it's pretty potent. Their problem is that they are not philosophically in tune with the people of Orange County. When they turn to spokesmen, it's to people like Willie Brown, Jerry Brown, Michael Dukakis and Ted Kennedy. That just does not sell here."

Adler acknowledged that his scenario might be dismissed as a pipe dream if it were assumed that the 1990s would be just like the 1980s. "The cycle



Tom Umberg

is changing," he said, "The Ronald Reagan magic has worn off. We're into tough times. People are worrying about their jobs and their mortgages. When people get worried, they're amenable to change. And in Orange County, that means voting Democratic."

Umberg's November 1990 victory — the first by a Democrat in a local partisan race since 1984 — is one reason for the renewed confidence. At the state party convention breakfast, Adler introduced Umberg as "our own Assemblyman Tom Umberg." Then Adler interrupted himself. "Isn't it great to say, 'Our own Assemblyman Tom Umberg?'"

Adler and other cited several additional reasons. Among them:

- New census figures showing huge jumps in Orange County's Hispanic population, usually a fertile ground for Democratic votes.
- The reshuffling of the local political deck that will be caused by this year's redrawing of congressional and state legislative boundaries, creating new districts and forcing incumbents to defend unfamiliar electoral turf.
- Infighting among Republicans over hot-button issues like gay rights and abortion, and attempts by local GOP officeholders to win bigger jobs, setting off expensive and sometimes bitter scrambles for their jobs.
- Unity among Orange County Democrats. Despite some grousing, the internal bickering that plagued party circles of the past two years seems mostly to have waned.

Local Democrats regard as a personal challenge the virtual certainty

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Cecil Green

that at least one GOP nominee for two U.S. Senate seats up for grabs in California in 1992 -- appointed incumbent John Seymour or Congressman William Dannemeyer of Fullerton — will be from Orange County, and the possibility that the second one, Congressman Robert Dornan of Garden Grove, also might be from the county.

But despite improved prospects for local Democrats, much must happen for those prospects to translate into more local victories, party leaders said. Statewide Democratic candidates and the state party must alter their past concentration of voter-registration and get-out-the-vote money on large cities and put more into areas such as Orange County. "This isn't just an Orange County problem," Adler said. "Unless the party can do better in areas like Orange County, it just isn't going to win a lot of major statewide races."

So far there has been some lip service to the matter — but no action by state party leaders.

It also would be helpful, said Santa Ana Democratic activist John Hanna, if the upcoming redrawing of political boundaries created districts that are more balanced between Democrats and Republicans than the current ones, most of which are lopsidedly Republican. That will be difficult to do without combining more local districts with territory in Democratic-leaning Los Angeles County — where Democratic incumbents like Senator Cecil Green are not likely to be eager to add GOP-leaning Orange County areas to their districts.

Perhaps most of all, Umberg, Hanna and Adler agreed, the state and national Democratic Party must resist the urging of its liberal, activist wing and take a more middle-of-the-road course that appeals to middle-class voters in Orange County and elsewhere. Although they have become more liberal on matters such as abortion, women's rights and help for the poor, Orange County residents share the GOP's resistance to big government and take the same dim view of defense cuts and tax hikes, polls indicate. Thus a presidential candidate like George McGovern or U.S. Senate candidates like Jerry Brown or Congresswoman Barbara Boxer would do little for the ticket in Orange County.

As elsewhere, President George Bush's post-Persian Gulf War popularity makes things all the more difficult for Orange County Democrats, which is one reason why Umberg and Hanna tried, unsuccessfully, to get the state party convention to heap praise upon Bush and the troops. Indeed, local polls reveal Bush much stronger now than before 1988, when he campaigned little in Orange County. Bush, who had to carry Reagan's political baggage but had little of his own appeal, managed to carry the county by 271,000 votes.

In any case, Adler is not waiting for a harmonic convergence of factors favoring Democratic revival in the county. He has unveiled a multi-pronged strategy. Key points include winning back to the fold "the many thousands" of Democrats Adler said flocked to the GOP banner in Orange County during the Reagan presidency.

Adler also hopes to intensify efforts to get voters to use absentee ballots — a key element in Umberg's victory — and raise $250,000 to fund local Democratic activities in 1992.

Adler has put his money where his mouth is. He's spending $2000 and hoping to raise $8000 more for research he says is needed to put his game plan into action. But he said he will need help from Democrats outside Orange County. "Unless they are willing to invest in suburban areas like Orange County, the party simply isn't going to be competitive in California, and that has national as well as statewide implications."

The historical reality is that, for local Democrats, doing well means not doing too badly. Most important is holding statewide GOP candidates to a victory of less than 200,000 in the county, a margin small enough to give Democrats a fighting change to make up that deficit in other parts of the state.

One 1988 political cartoon pictures the Orange County Democratic Party as Sisyphus, the mythical man condemned to forever roll a stone uphill only to see it roll down again just as he reached the top. Perhaps the most Adler can hope for is a bit of a plateau before his rock starts to roll.

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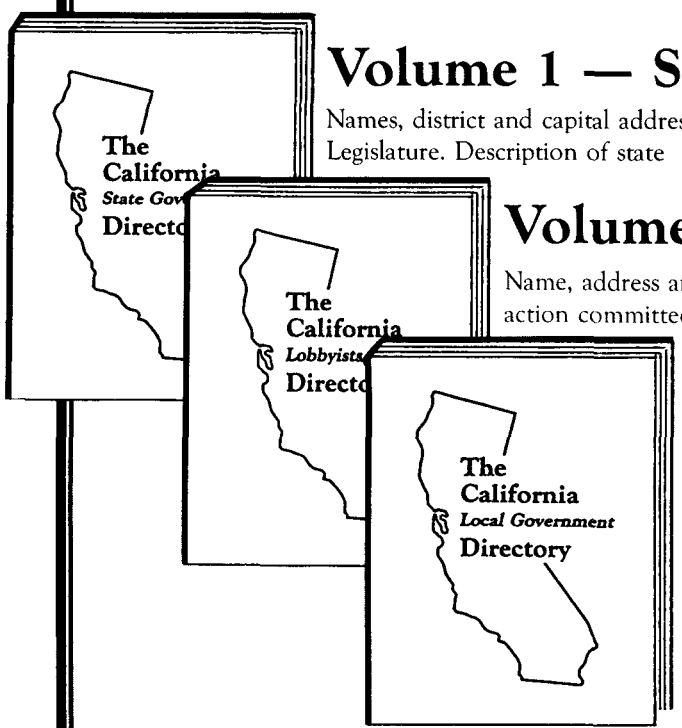

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The California Integrated Waste Management Board:

The Deukmejian administration's most impressive recycling effort

By Tricia Reader and Richard Zeiger

Californians have an attitude problem; the state's newly created waste management board seeks to correct it.

The board wants the public to view waste as a resource that should be fueling the economy rather than "something to be disposed of, thrown away or burned," said Wesley Chesbro, vice-chairman of the California Integrated Waste Management Board.

California is the nation's second-leading producer of trash per person, with each of us contributing 1.59 tons of waste each year to the voluminous mountain of 44 million tons.

"I'm disappointed to hear we're not first anymore," quipped Mark Murray, policy director of Californians Against Waste. (Maryland is the top producer of trash.)

If California is no longer first in this dubious category, it still has a severe waste problem. Los Angeles County, for example, has run out of landfill space. By the end of the century, most urban areas of the state are expected to join it. After years of minimal governmental action, recent legislation created the California Integrated Waste Management Board and a mandate to cut the state's waste in half by the year 2000.

Given more authority, including the power to assess penalties on cities and counties that don't do enough to cut trash production, the new six-member board takes over the job of the now-defunct Solid Waste Management Board. The old board had been severly criticized by environmentalists and others who said it was dominated by the waste-management industry.

"The former state policy was to landfill it or burn it," said Kip Lipper, consultant to Assemblyman Byron Sher, the Palo Alto Democrat who sponsored legislation creating the board. "We're running out of places to put [waste]. There is public opposition to site new landfills."

Murray cited the state's affluence, consumerism and lifestyle as major contributors to the waste problem. In other words, Californians generally believe, and can afford to believe: If it's broken, buy a new one.

Murray pointed out that a tremendous amount of the state's waste is generated from landscaping. Unlike other parts of the nation where landscaping just isn't done, it is a big business in this state. Californians groom their trees and lawns on a regular basis, creating considerable yard waste.

"It's one of the largest contributors to the problem," said Richard Tagore-Erwin, an integrated waste-management specialist with R.W. Beck and Associates, a recycling consulting firm.

In areas where there is significant landscaping, yard clippings can account for 17 to 30 percent of the waste collected, he said, noting that paper is also a major contributor. He said the amount of yard waste accumulated is determined by how much water is available. The state has seen a decrease over the last year in shrubbery and

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Tricia Reader is a California Journal *intern. Richard Zeiger is editor of the* Journal.

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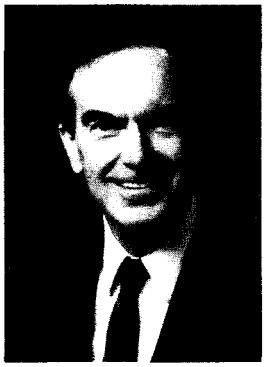
grass clippings due to the lack of water. Also, a series of new laws requiring residences to have low-waste landscaping has helped, according to Tagore-Erwin.

Murray maintained that the convenient lifestyle Californians have grown to love — frozen food packages and fast food boxes — causes major clogging of the state's landfills.

"After a 45-minute commute, many people are not inclined to cook a big meal. Instead, they microwave disposable meals. This promotes the greater rate of waste generation because the meals don't come in very recyclable packaging," said Murray.



Michael Frost

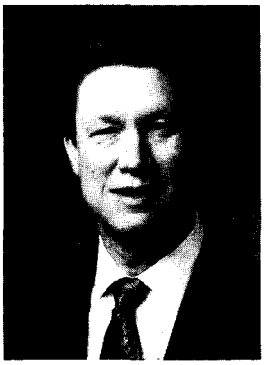
While packaging still remains a problem, legislators are creating some solutions. Several laws were passed that require manufacturers of newsprint, glass and plastic bags to use recycled materials in the processing of the products. In addition, the state is required to purchase recycled oil, lead-acid batteries, compost, plastics and retread tires.

"The recycled-product-content legislation is the single most-effective tool that the Legislature has come up with yet," said Chesbro. The board has since hammered out a unanimously adopted position that strongly supports shifting the burden for the cost of waste-management programs to the manufacturers of packaging materials and containers by imposing a fee based on how much recycled material is used.

Under this "advanced disposal fee," for example, a manufacturer who uses 50 percent recycled materials might be charged half the fee of a manufacturer who uses all new raw materials. The fee would generate revenue for recycling programs based on how much money was collected, and it would act as a market incentive for manufacturers to produce less waste. According to Lipper, the advanced disposal fee would mostly affect manufacturers of paper, plastic, glass and metals.

The new board, with its waste-reduction goals, fees and incentives, holds a rein on the waste problems created from years of neglect.

In the mid-'70s, California's waste policy primarily focused on cleanup rather than reduction. Instead of promoting recycling, the state's message was, "Please Don't Litter." New laws called for increased receptacles, roadside cleanup, educational cleanup campaigns and littering fines.



Jesse Huff

By the late '70s, the Solid Waste Management Board began to focus on recycling with the expansion of existing sites and creation of new recycling centers. However, no incentives were given to the manufacturer or the consumer to make or buy goods containing recycled materials.

The crunch came in 1980 when the Solid Waste Management Board warned that one-half of the state's landfills would close in five years. The board called for an improvement of public awareness without making any recommendations.

While increased taxes or advanced disposal fees were not part of the solution process, the board did promote recycling or reuse of bottles and can, household separation of recyclables, and the establishment of local recycling centers.

A blow to waste management came in 1981 when an Assembly budget subcommittee cut the state's recycling grant program in half. During that year, the city of Long Beach completed plans for a waste-conversion facility with a "sophisticated" incinerator to burn trash to generate electricity.

By the early '90s, with an abundant waste problem and public opposition to landfills and incinerators, the new board faces solving the problem through recycling, reducing and reusing materials.

While most who have studied the issue say the board's direction is a major improvement, some have problems with how quickly the law was passed and with the board's composition.

One city advocate complained that the legislation was hurried through with little imput from cities, a cause of particular concern because local governments have no formal representation on the board and can be fined if they fail to comply with board mandates.

Also criticized is the board's six-member composition. Because of the even number, four board votes are necessary before any action can be taken. Chesbro, however, doesn't see the board as having many split votes because of its political balance. "There is an intention for us to come up with solutions to bring the dividing parties together rather than split up on historical and political lines," he said.

Because the legislation was passed in December 1989 near the end of former Governor George Deukmejian's term, some maintain that the board became a place where he could reward loyal employees with good-paying state jobs after the close of his administration.

One of Deukmejian's final duties was to make four appointments to the newly formed board, where each member earns $96,000 annually. The Senate Rules Committee and Assembly speaker each appoint one person.

The six-member board is allotted four seats for those representing the public, one seat for a member of the waste-management industry and one environmentalist who has yet to be appointed. The latter two slots are allocated to the governor, and the appointments require confirmation by the Senate. The other two gubernatorial appointments, along with those by Roberti and Brown, do not require Senate approval.

Kathy Neal

Deukmejian's former chief of staff, Michael Frost, and his former finance director, Jesse Huff, are the governor's appointments for the public representative seats that do not require Senate confirmation. Frost was recently elected by the board as chairman. His two top advisers are Susan Pedersen, wife of Kip Lipper, Sher's consultant, and Bobbi Lungren, wife of Attorney General Dan Lungren. Frost was Deukmejian's legis-

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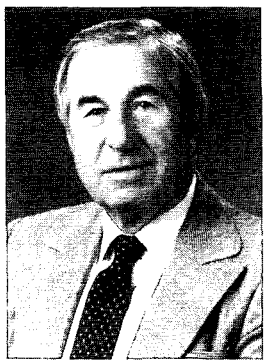
lative secretary and director of the Department of Personnel Administration before becoming the governor's chief of staff in 1987.

Huff served on 45 policy-setting boards and commissions while he was director of the Department of Finance. He was the principal minority consultant to the vice chairman of the Senate Finance Committee from 1979 to 1982.



Sam Egigian

Sam Egigian, a Deukmejian appointee, represents the waste-management industry. He has 42 years of experience in the industry, having spent 19 years as the president and owner of a disposal company in Montebello.

Assemblyman Willie Brown appointed Kathy Neal to the board as a public representative. She is the president and founder of a human resources firm that specializes in contracting to the electronics and computer industry. She is also the wife of Oakland's mayor, Elihu Harris, a former assemblyman, who is a longtime friend of Brown.

Senator David Roberti appointed Chesbro, a former Humboldt County supervisor and Arcata city councilman with extensive background in local-government affairs and recycling issues, to represent the public. Chesbro was among the founders of the Arcata Community Recycling Center in 1971, one of California's oldest and most successful recycling operations.

The law creating the board passed in 1989 but the first appointments were not made until July 1990. Even then, the board did not get underway until January 1991, operating under a $53.9 million budget with $20 million designated for landfill maintenance and cleanup.

The slow start was mainly due to revised laws and rejected appointments. For example, Deukmejian tried to name two non-environmentalists — John Gallagher, former chairman of the Solid Waste Management Board, and Nan Drake, vice president of a Ventura leasing company and former city councilwoman — to the environmentalist seat. Both were blocked by the Senate at the behest of environmental groups.

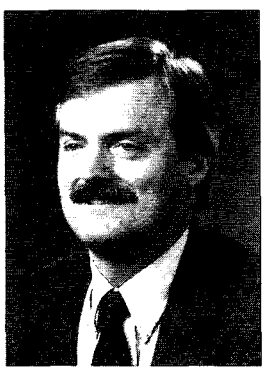
Curiously, while Gallagher was appointed by Deukmejian to serve on the board — a position he accepted and served in as chairman for 90 days while his confirmation was pending — he remains one of the board's toughest critics. He sees the board as providing jobs for people from the former administration as well as the 335 staff positions the board creates as answer for those who lost their jobs due to Proposition 140. He also believes board members' salaries are "enormous."

Perhaps some of Gallagher's criticism is a result of his having served on the old board as well. He believes much of the criticism aimed at the old board — for instance, that it was dominated by the waste-management industry — was unwarranted. Furthermore, Gallagher believes that industry representation is needed to receive expertise from knowledgeable sources in the field.

"If industry representation is to be construed as a conflict of interest, then there would be no industry people on the medical examiners' board, the contractors' board or any other board that comes under the Department of Consumer Affairs," he wrote in a letter to *The Sacramento Bee*.

The new board faces two waste-reduction goals. The first is to get cities and counties to reduce waste 25 percent by January 1995, with the ultimate goal of 50 percent reduction by January 2000. Failure of local governments to meet the goals will result in $10,000 per day in civil penalties, unless local officials have done everything possible to meet the goals, in which case they could be granted more time.

"I have confidence that we will achieve that. There are a few remote rural communities that are a long distance from the markets where they can sell the [recycled] materials that might need some special consideration," said Chesbro. While his main concern is meeting the 50-percent goal, he remains optimistic because he has five additional years to meet it.



Wesley Chesbro

"The landfill capacity crisis that California faces will make it an absolute practical necessity to achieve the 50 percent goal. I wouldn't be surprised if before the year 2000 we

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see that percentage requirement increase simply because there is nowhere in the state where people won't object to having a landfill located," he said.

Tagore-Erwin agreed that the goals can be reached but said a major problem the local governments face is trying to collect the information required for the comprehensive implementation plans that have to be submitted to the board by July 1st. A six-month extension is being considered.

The plans will identify how much landfill capacity is available in the jurisdiction over the next 15 years. They also will include the amount and types of waste generated in the jurisdiction, and the measures that will be taken to reduce, recycle and compost waste. In addition, they have to identify measures to collect household hazardous waste.

The law requires that a $1 per-ton fee on waste dumped in landfills be collected to fund state activities to reduce and recycle solid waste. Targore-Erwin predicted that the fee will double beyond the current $1 limit in the next 10 years as California gets closer to complete capacity of its land.

In addition to the incentives for using recycled raw materials, Chesbro said businesses will be able to receive tax credits and low-interest loans if they locate in communities that designate new recycled market development zones. Businesses in the zones will consume and manufacture recycled goods.

"The most difficult but most important challenge we face is developing markets for these materials," said Chesbro. "In the long run, I'm confident that the economy will provide plenty of markets, but the problem we're having is that the law puts a greater emphasis on collection of recyclables — specifically how to do it and what the collection schedule should be. The danger is that the collection programs will be successful at a much more rapid rate than we would be able to put market programs in place to purchase the materials that are collected."

Waste reduction, recycling and market development for recycled goods are the major components in the plan to limit the use of landfills. California has about 423 landfills left after losing more than 200 in the last few years. Northern San Diego, San Mateo and Contra Costa counties are nearing complete capacity of their landfills. There are about 7379 landfills left in the nation.

"The public's environmental consciousness has risen to the point where it simply won't allow the siting of new landfills. That gives us no alternative but to divert as much waste for recycling as we possible can," Chesbro said.

About 86 percent of the state's waste currently gets dumped in landfills, 12 percent is recycled and the rest is incinerated.

While Californians will see the percentage of trash that is landfilled decrease throughout the '90s, cities and counties will continue to landfill waste that isn't recycled or incinerated, said Don Dier, manager of the board's permits division. The leftover waste will either be dumped in new or existing landfills, or transported throughout the state to rural areas where there is little public opposition to dumping trash. Cities and counties have the final authority over where the garbage goes.

The state's existing landfill sites are expected to be in operation longer as more waste is reduced and recycled. "We won't necessarily have to build new landfills," said Pedersen.

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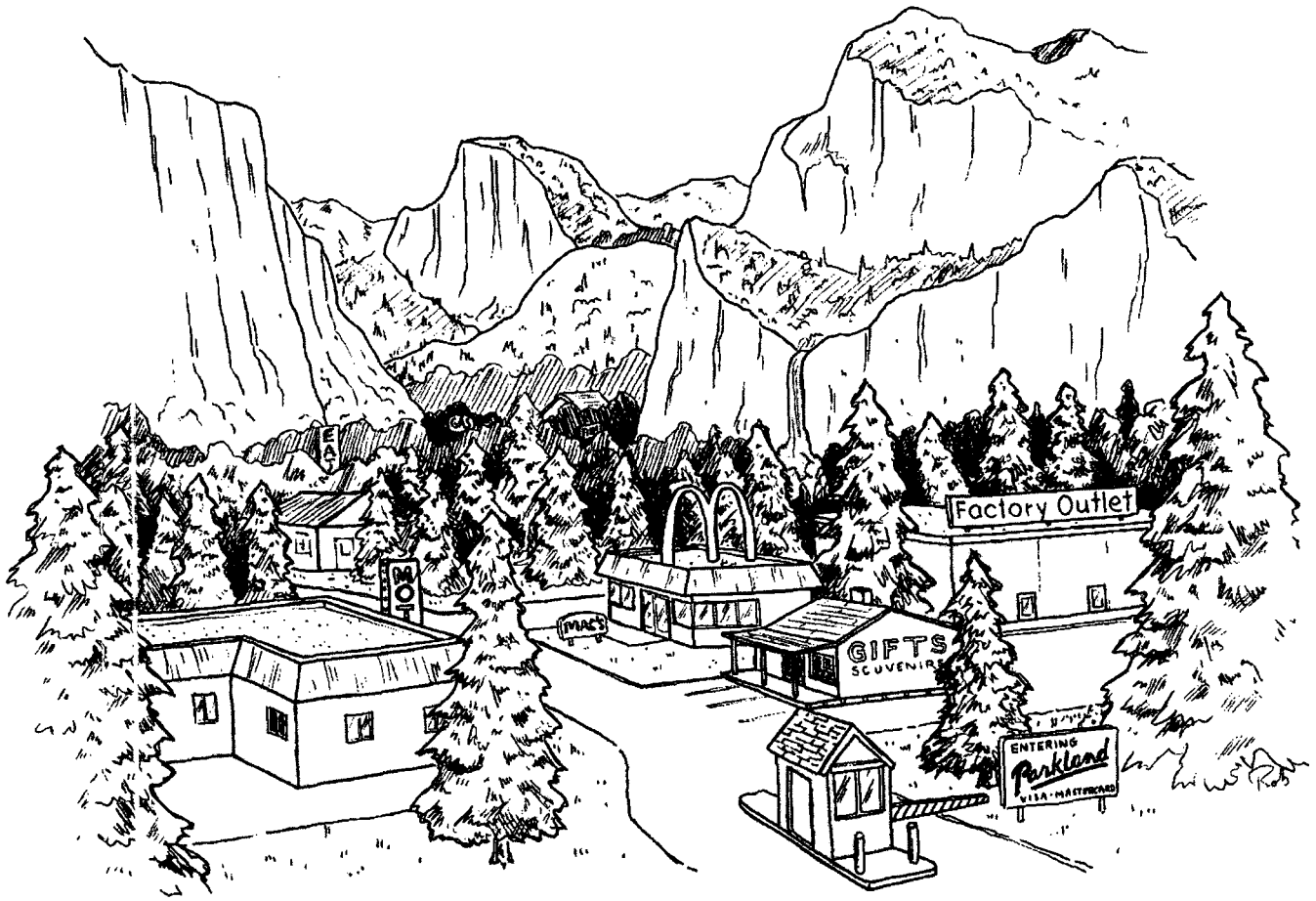

END OF THE SWEET DEAL

National park concessionaires brace for higher fees

By Michael Doyle

Politically well-connected and accustomed to success, the private companies doing business in America's national parks are confronting their biggest challenge ever. After enjoying long-term, low-fee, no-competition contracts for decades, national park concessionaires see arrayed against them elements of the Bush administration and reform-minded members of Congress. In just one year, a conflict that was ignited in Yosemite National Park has spread nationwide, as politicians, interest groups and businesses ranging from the multi-national to the mom-and-pop fight over the management of park concessions.

More than money is at stake.

The policy wrangle is being fought with weapons like audits, sound bites, campaign contributions and maybe a bit of reason. It will mold the kind of businesses that get involved in national parks, the sort of experiences that park visitors encounter and, in some respects, the shape of the parks themselves.

And then, there's the money.

The latest set-to over national park concessions can be traced to Interior Secretary Manuel Lujan's 1989 visit to Yosemite. Half Dome may have caught his eye, but so did the 30-year contract enjoyed by the concessionaire — Yosemite Park and Curry Company. Lujan told his department's inspector general — a publicity-savvy Washington veteran named James Richards — to find out how well the park service was managing the estimated 500 concession contracts nationwide.

Richards' auditors concluded that the national park conces-

Michael Doyle is a reporter in the Washington bureau of McClatchy Newspapers.

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sionaires took in total gross receipts of about $500 million in 1988, and paid about $12.5 million in franchise fees. The franchise fees charged for operating on public land thus amounted to about $2 for every $100 in gross revenues.

The biggest concessionaire take was at Yosemite, which was reported by auditors to have taken in $76.1 million and paid $570,774 in fees. Farther south in the Sierra Nevada, Guest Services Inc. was reported to have taken in $9 million at Sequoia National Park. The company paid the government $68,141 in return.

Cue the Capitol Hill outrage.

"We don't run these parks for the benefit of the concessionaires," said Oklahoma Democrat Mike Synar. "Hundreds of millions of dollars are at stake here, when we're at a time of budget crises."

Through his chairmanship of a House Government Operations subcommittee, Synar unleashed General Accounting Office watchdogs to sniff out the larger concession issue as well. They found the Park Service concessions were not unique.

The GAO determined that concessionaires operating on public lands managed by the Forest Service, Park Service, U.S. Corps of Engineers and three other federal agencies rake in about $1.5 billion annually. Along with the park concessions, these include ski resorts on Forest Service land such as Heavenly Valley and Mammoth Mountain and Bureau of Reclamation water-sport areas like Lake Berryessa.

The GAO auditors estimated that all the concessionaires return about $32 million in fees to the federal government. The auditors also found inconsistency in how the concessions are handled, and a great deal of missing information on the businesses enjoying monopolies on public land.

"The agencies simply have not done a good job of managing the programs," GAO official Keith Fultz grumbled.

Richards believes part of the problem is that the Park Service pays more attention to the park experience than to the "grubby stuff" of money. In part, officials from the Park Service and other public-land agencies respond that keeping fees relatively low is a way to encourage private investment in facilities on public lands. This was an argument heard when Richards' auditors unveiled their latest variation on the concessions theme earlier this year.

The audit concluded that outdated utility rates and the Park Service's failure to demand that concessionaires pay their fair share for utility construction cost the federal government $41.3 million between 1986 and 1989. For instance, static water and sewer rates at Yosemite between 1985 and 1990 cost taxpayers about $1.5 million in lost revenues, auditors said.

At Sequoia National Park, the Park Service spent $24.7 million on utility improvements between 1986 and 1989. The concessionaire, Guest Services, and other private users were responsible for 40 percent of the utility use but did not share in the cost of the improvements.

"You can read them and weep," Richards said. "They're big numbers."

Curry Company vice president Dan Jensen, while correctly noting that the failure to raise utility rates was the responsibility of the Park Service and not of the concessionaire, also observed that jacking up rates to the levels cited by government auditors could result in more expensive park visits. Park Service officials make the same argument.

But mostly, Park Service Director James Ridenour has joined with Lujan in pressing for a number of administrative changes in how concessions are managed. These concession reform ideas got their 15 minutes of fame spread out over the past several months, thanks in part to Lujan's thinly veiled Japanese-bashing over the Matsushita Electric Industrial's purchase of the Curry Company's parent corporation — MCA. But with MCA's subsequent agreement to sell the Curry Company to the non-profit National Park Foundation, the foreign ownership distraction has calmed down and the real issue re-emerged.

Lujan wants concessionaires to pay higher franchise fees when it comes time to renegotiate a contract. The fight here is over just how high the fees might go. The 22 percent figure that Lujan has tossed about is really a negotiating ploy at best; concessionaires are quick to shoot down this proposal as unrealistic, while admitting that their golden era of extremely low fees has passed.

"Concessionaires understand that they must be prepared to pay reasonable franchise fees, and that these fees are continually escalating upward as new contracts are written," Conference of National Parks Concessionaires chairman Rex Maughan told a congressional committee.

Lujan also wants shorter contracts, more extensive competition when the contracts expire and changes in how concessionaire investments in park facilities are valued. His reform ideas, in some cases, run directly counter to the 1965 Concessions Policy Act that now governs businesses in national parks.

Synar, who knows a media-ready issue when he sees one, has introduced legislation that would lock into law reforms similar to what Lujan is proposing to do administratively. Senator Dale Bumpers, an Arkansas Democrat, backs similar legislation in the Senate.

But it is primarily Lujan who has drawn the considerable ire of park concessionaires. "He's got his fingers in things now that he doesn't understand," Maughan said in a interview last year.

Maughan, chief spokesman for the 100-member concessionaires' group, once blasted Lujan's reform proposals as "un-American." Rumors have circulated on Capitol Hill that the concessionaires were going after Lujan's job, and the concessionaires' annual Washington conference this March was filled with all kinds of unrest.

Litigation accompanies some of the tough talk. Several concessionaires filed suit in federal district court in Washington, D.C., to block full release of the inspector general's audit. One company, the Mount Rushmore Mountain Company, unsuccessfully tried to force a South Dakota television reporter to divulge her sources for a story on the audit.

In a more positive vein, concessionaires are also trying to get the word out that they provide good services; and in this, at least, some Park Service officials are on their side.

"I think, nationwide, the quality of service is quite good," said Jack Morehead, a former superintendent at Yosemite who oversees concession operations as associate director of the National Park Service.

Indeed, a review of the five years' worth of internal Park Service evaluations for 12 of the most popular national parks, obtained through the Freedom of Information Act, showed most of the businesses were receiving consistently high marks. The Curry Company's 1989 evaluation, for instance,

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praised the firm's "outstanding visitor services."

"It seems that the overall system is working from both concessionaire and park service points of view," said Senator Malcolm Wallop, a Wyoming Republican.

Wallop defends concessionaire interests through his position as ranking Republican on the Senate Energy and Natural Resources Committee. He is only one of the lawmakers with whom concessionaires maintain good relations; the extent of these good relations is not always seen as benign by Park Service officials.

"Proper concessions management within the National Park Service is hampered by the fact that concessionaires are well aware of their ability to influence decision-making by making direct appeals to political figures or to the higher levels of the [administration]," a Park Service task force noted in an internal 1974 report.

The political action committee for the Conference of National Park Concessionaires contributed $46,800 to members of Congress between 1984 and 1989, Federal Election Commission records show. This is a very modest amount compared to many other special interests, but the impact is concentrated on certain select members.

Members of the House Interior and Insular Affairs Committee, who have jurisdiction over park issues, receive the greatest share of concessionaire contributions. Regular recipients in recent years among Californians include committee acting chairman George Miller, a Martinez Democrat; Richard Lehman, a Sanger Democrat; Robert Lagomarsino, a Republican from Santa Barbara; and others who may have a hand in concessions legislation.

Park concessionaires provide other services to politicians.

Every August between 1984 and 1988, the Curry Company provided then-Congressman Tony Coelho and up to 40 of his friends and colleagues with camp-outs in Yosemite's high country. Coelho, whose congressional district included parts of the park, helped secure federal funding for projects that aided both the park and the Curry Company.

The Curry Company also has provided annual back-country trips for Lehman and some of his friends and colleagues. Participants in recent years have included Miller and three members of the money-dealing House Appropriations Committee.

"It's a real good way to get people into the park," Lehman said. "Just familiarizing people with the park is very helpful."

The challenge in coming months will be for lawmakers, concessionaires and Park Service officials to sit down, lower the rhetoric and start figuring out what everyone will have to live with as concessions management enters a new era. This might happen in a smooth, untroubled way — but past history suggests that it won't.

"It is not difficult to identify problems and make recommendations," Senator Bumpers said. "What is difficult, and what hasn't been done in any significant way since 1965, is to follow through on these recommendations and change the system."

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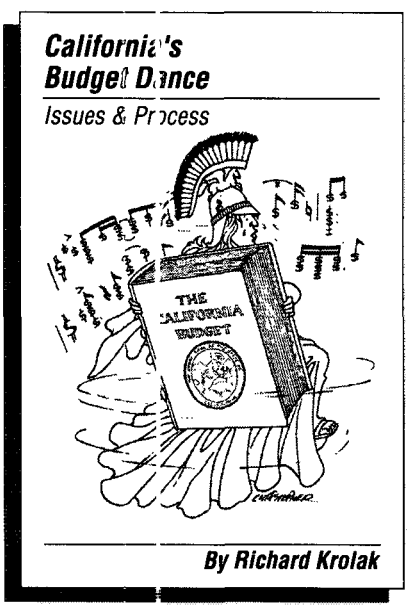

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

George Miller moves in

When California faces a deadly earthquake or a dire drought, Washington never fails to send some help. But the assistance to the biggest, wealthiest, grandest state is often grudging because of resentment of its special influence.

THAT WAS CERTAINLY THE CASE BACK IN MARCH, when the House of Representatives voted for legislation to provide emergency drought relief to California. To be sure, the members voted resounding approval (387 to 23) to a measure calling for federal agencies to provide water to municipalities and other thirsty recipients that would not normally qualify as customers. The bill also called for the federal government to develop long-overdue drought contingency plans.

Californians put aside their own parochial and philosophical differences over water policy to rally around the legislation. "All of us have resisted the temptation to use this bill as a vehicle to make substantive changes in water-resources policies," said Representative George Miller, a Martinez Democrat and acting chairman of the House Interior Committee. "Instead, we've brought you a streamlined bill to help alleviate current and future drought conditions."

Before approving the drought relief package, however, some representatives from other states unburdened themselves of familiar complaints about the Golden State collecting yet another goodie bag of federal benefits.

"Sometimes members of Congress from California have the feeling that California is the world," said Representative John Rhodes, an Arizona Republican who helped draft the measure and made certain it also included assistance for California's thirsty neighbors. "I want to assure the members of the body that this is not a California drought relief bill, but it is a Western states drought relief bill."

Other members used the occasion to dramatize the long-running debate over federally subsidized water to California agribusiness. Representative Sam Gejdenson, a Connecticut Democrat, introduced and then withdrew an amendment that would have barred drought relief to farmers growing surplus crops unless they paid full market rates for water.

Gejdenson, complaining about cut-rate water for California's "millionaire farmers," said, "If this was a welfare mother getting 50 cents more in food stamps, we would have three-quarters of the members of Congress ... outraged that we were not watching the taxpayers' dollars."

Wisconsin Republican Congressman Toby Roth argued that federal water subsidies gave an unfair edge to California dairy farmers, who "get up to four more cuts of alfalfa each year than the dairy farmers in Wisconsin. ... Dairy farmers in Wisconsin produce with what they get from Mother Nature, not the American taxpayer," he said. "California farmers should, too."

It was an awkward situation for Miller, who had the responsibility to steer through drought relief for his state but has spent years crusading for just such reforms of federal water subsidies.

Thanking Gejdenson for withdrawing the amendment, Miller added, "I agree with his amendment. I think that his amendment raises one of the very fundamental issues that not only those members in Congress must address with respect to the allocation of taxpayer dollars, but those of us in California clearly must address with respect to allocation of water within our state."

Miller's promise to address California water subsidies may have been more than idle oratory. He is in a stronger position than ever before to push through reforms — and his opponents representing California agribusiness may be weaker than in the past.

Miller's increasing strength stems from his assumption of full powers to run the Interior Committee, which oversees federal water policy. Earlier this year, House Democrats took the unusual step of formally designating him as the panel's "acting chairman," with full powers to reshape its staff and committees, which he promptly did.

The reason was the absence for months of the committee's chairman — Arizona Democrat Morris K. Udall, who announced recently he will leave Congress this month. Udall has long been deteriorating from the ravages of Parkinson's disease. But the congressman has been among the most respected and beloved members of the House, and his colleagues were not inclined to strip him officially of the chairmanship until he is no longer capable of performing.

Although Udall was a solid environmentalist, Miller is likely to bring California water reform closer to the top of the committee's agenda. He has already installed his knowledgeable top aide on interior issues, Dan Beard, as the full committee's new staff director.

On the other side of the equation, California's agribusiness interests are not as strong as they used to be in Washington. They have lacked some of their clout and connections since Merced Democrat Tony Coelho stepped down under an ethical cloud in 1989.

And, even if the worst effects of the California drought prove to be over, many city dwellers in the state may retain the impression that they were forced to cut back partly because big farms are such prodigious and wasteful consumers of cut-rate water.

AND A FOOTNOTE: MILLER ALSO SEEMS determined to use his increasing clout to end several years of deadlock over proposed legislation to provide wilderness protection to vast stretches of the Mojave Desert.

In an effort to give the issue more attention, and to put a fellow Californian in position as chief mediator, Miller appointed California's Richard Lehman, a Democrat from Sanger, to head an implausibly named new Subcommittee on Oversight and California Desert Lands.

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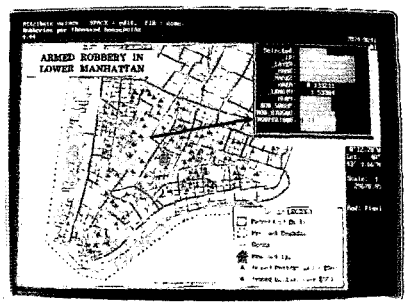

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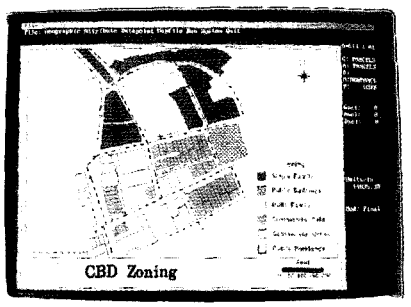

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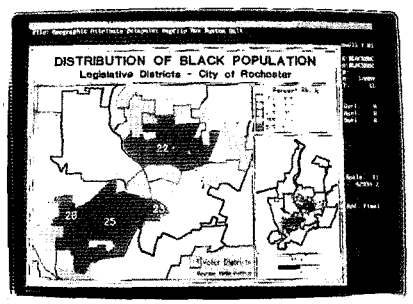

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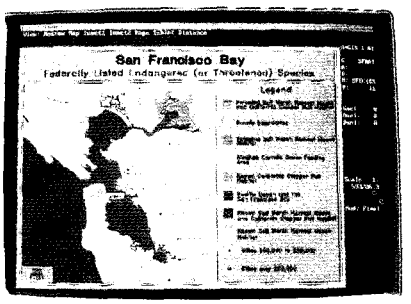

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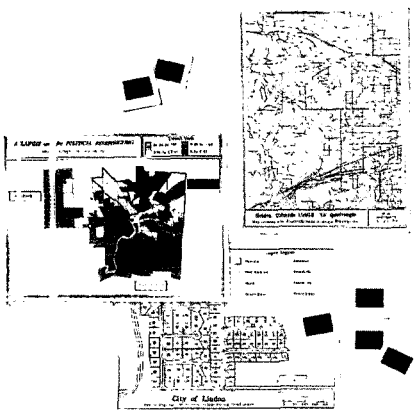

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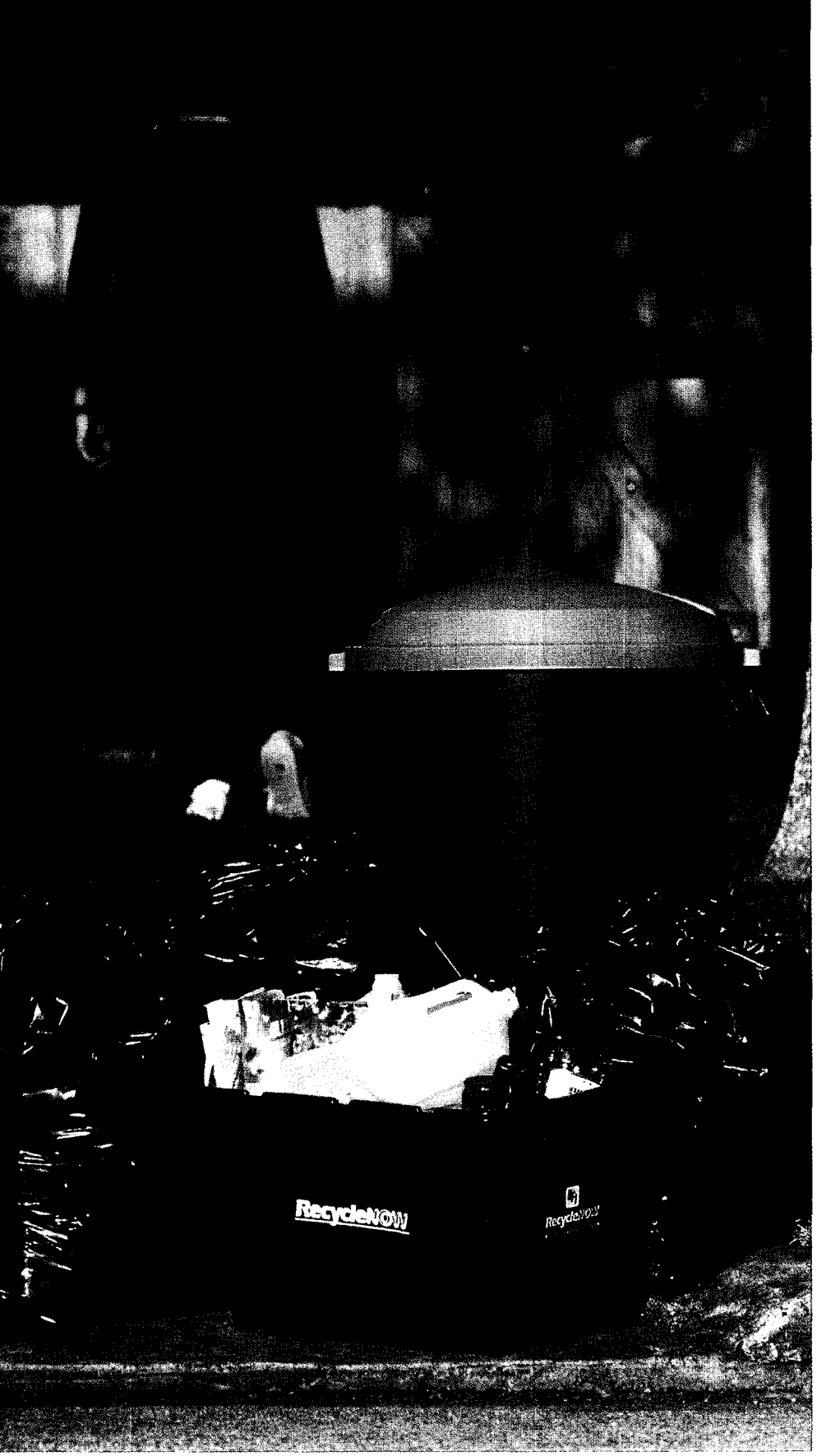

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